

# FEDERAL REGISTER

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## Regulations

### TITLE 7—AGRICULTURE

#### Chapter I—War Food Administration (Standards, Inspections, Marketing Practices)

##### Subchapter A—Commodity Standards and Standard Container Regulations

#### PART 27—COTTON CLASSIFICATION UNDER THE UNITED STATES COTTON FUTURES ACT

Pursuant to the provisions of the Act of April 7, 1941 (55 Stat. 131; 7 U.S.C., Supp. III, 473d), and by virtue of the authority vested in the War Food Administrator, the regulations applicable to cotton fiber and spinning tests (7 CFR, Cum. Supp., 27.501 *et seq.*) are amended to read as follows:

##### ADMINISTRATION

- Sec.  
27.501 Authority.  
27.502 Laboratories.

##### FIBER AND SPINNING TESTS

- 27.503 Testing of samples.  
27.504 Requirements as to samples.  
27.505 Costs of submitting samples.  
27.506 Disposition of samples.

##### FEES

- 27.507 Prescribed fees.  
27.508 Fees for special tests.  
27.509 Payment of fees.

##### MISCELLANEOUS

- 27.510 Limitation of testing services.  
27.511 Confidential information.  
27.512 False and misleading information.

**AUTHORITY:** §§ 27.501 to 27.512, inclusive, issued under 55 Stat. 131; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783.

##### ADMINISTRATION

§ 27.501 *Authority.* The Director of Distribution, War Food Administration, is charged with the administration of the provisions of the act and the regulations in this part and is authorized to issue such instructions as he may deem proper and necessary.

§ 27.502 *Laboratories.* Laboratories shall be maintained at points designated by the Director of Distribution.

##### FIBER AND SPINNING TESTS

§ 27.503 *Testing of samples.* The Director of Distribution or his authorized representatives, upon written requests, shall make fiber and spinning tests of the properties of cotton samples and report the results thereof to the persons from whom such requests are received, subject to compliance by such persons with the regulations in this part and to the payment by them of fees as prescribed herein.

§ 27.504 *Requirements as to samples.* Each sample of ginned cotton lint submitted for fiber tests shall weigh approximately eight ounces and each sample submitted for spinning and fiber tests, or for spinning tests alone, shall weigh not less than five pounds when carded yarn tests are desired and not less than eight pounds when combed yarn tests are desired. When the ginning of samples for spinning tests is requested, a sufficient quantity of seed cotton to provide from five to ten pounds of lint shall be submitted. Each sample submitted for testing shall be labeled or marked to show the name and address of the person submitting it and each sample shall be wrapped separately. The separately wrapped samples may be sent in one or more parcels, each of which shall bear on the outside thereof the name and address of the person submitting it. Each individual sample submitted for testing shall contain a tag or coupon bearing a number or other identification symbol. Persons who submit samples to laboratories for testing shall comply with any Federal or State quarantine requirements applicable to counties from which such samples are shipped.

§ 27.505 *Costs of submitting samples.* The transportation of samples to a laboratory for testing shall be without expense to the Government.

§ 27.506 *Disposition of samples.* The remnants of samples and the other materials accumulated in the making of tests under the regulations in this part shall be the property of the Government, but portions of such samples and materials may be used for illustrative purposes in connection with laboratory re-

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 Book 3: Titles 10-17, with index.  
 Book 4: Titles 18-25, with index.  
 Book 5, Part 1: Title 26, Parts 2-178.  
 Book 5, Part 2: Title 26, completed; Title 27; with index.  
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## FEES

§ 27.507 Prescribed fees. (a) Fees for fiber and spinning tests shall be assessed in accordance with items 1 to 32, inclusive, listed below:

Item No. and kind of test	Fee per test
1. Ginning of test samples.	\$1.00
2. Fiber length array, 3 sortings per test; three values calculated from array data; upper quartile length, mean length, and coefficient of variation.	6.00
2-a. Fiber length array, 3 sortings per test; values calculated from array data; upper quartile length, mean length, coefficient of variation, and percentage of fiber by weight in each 1/8 inch length group (averages of 3 determinations).	7.50
2-b. Fiber length array of Purified or Absorbent cotton according to U. S. Pharmacopoeia Standards.	10.00
3. Fiber length by fibrograph, 5 measurements per sample.	.50
3-a. Fiber length by fibrograph, 5 or more replicate sub-samples, 2 measurements per sub-sample.	.20
Minimum	\$1.00
4. Fiber strength, round bundle, 10 breaks per sample.	5.00
5. Fiber strength, flat bundle, 6 breaks per sample.	1.00
5-a. Fiber strength, flat bundle, 5 or more replicate sub-samples, 2 breaks per sub-sample.	.30
Minimum	\$1.50
6. Fiber fineness (weight per inch) and maturity, 2 measurements each per sample.	5.00
7. Fiber cross section (photomicrograph-1000 magnifications): includes one photomicrograph print and determination of average fiber diameter, wall thickness, and circularity ratio, based on measurement of 200 fibers.	7.50
8. Cellulose alignment (X-ray), 2 measurements per sample.	2.50
9. Combination fiber test (Nos. 2, 4, and 6).	14.00
10. Combination fiber test (Nos. 3, 5, and 6).	6.00
11. Spinning test, carded yarn: includes 22s, one of following standard counts; 14s, 36s, 44s, 50s, 60s, and one additional optional count, the two counts other than 22s to be designated by applicant; data furnished: grade and staple classification of raw cotton, manufacturing waste, yarn skein strength and appearance grade, and 3 yarn boards.	20.00
12. Spinning test, combined yarn: as specified in item 11 for carded yarn (for cotton longer than 1 1/4 inches, yarn counts spun are 60s, and 80s or 100s, and one additional optional count).	25.00
13. Spinning test, carded and combed yarns, same yarn counts for carded and combed: as specified in items 11 and 12.	32.00
14. Combination fiber and spinning tests (Nos. 2, 4, 6, and 11).	33.00
15. Combination fiber and spinning tests (Nos. 3, 5, 6, and 11).	25.00
16. Combination fiber and spinning tests (Nos. 2, 4, 6, and 12).	38.00

Item No. and kind of test	Fee per test
17. Combination fiber and spinning tests (Nos. 3, 5, 6, and 12).....	\$30.00
18. Combination fiber and spinning tests (Nos. 2, 4, 6, and 13).....	44.00
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20. Additional yarn counts in connection with spinning tests and combination fiber and spinning tests (items 11 to 19), for each such additional count.....	5.00
21. Spinning, plying, and testing each count of yarn, 2 or 3 ply only (this test performed only in connection with spinning tests and combination fiber and spinning tests . . . items 11 to 19).....	8.00
22. Tire cord test: manufacturing and testing 23s/5/3 tire cord, including testing for strength, elongation, twist, and gage (this test performed only in connection with spinning tests and combination fiber and spinning tests . . . items 11 to 19).....	20.00
23. Yarn skein strength and size and yarn appearance determinations (20 skein breaks per sample), and furnishing one yarn board.....	2.00
24. Moscrop single strand test: strength and size on 6 bobbins or less (minimum 36 breaks per bobbin).....	2.00
25. Shirley Analyzer separation of lint and foreign matter on 4-ounce sample of raw cotton, cotton waste, or linters.....	2.00
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27. Picker and card waste test, including nep count in card web, 5-pound sample.....	5.00
28. Classification, including grade and staple length, per sample.....	.25
29. Fabric strength test (grab method), 5 breaks each warpwise and fillingwise.....	8.00
30. Fabric weaving and testing, including preparation of warp, weaving, and testing of a standard sheeting construction.....	25.00
31. Furnishing more than two copies of test results, per sheet.....	.25
32. Furnishing copies of test data work sheets, per sheet.....	.40

(b) Persons who first submit samples for complete fiber tests as provided in items 9 and 10 may during the progress of such tests, or within sixty days after the date of the laboratory report on any test, file a supplemental request for a complete spinning test of the same cotton, and the total fees assessed for such combined tests shall be as prescribed in items 14 to 19, inclusive.

(c) Fees for combinations of tests not provided for in this section shall be as determined by the Director of Distribution.

§ 27.508 *Fees for special tests.* In the discretion of the Director of Distribution, special tests not listed in § 27.507 may be made to the extent that available facilities will permit, subject to the payment of fees as determined by him.

§ 27.509 *Payment of fees.* As soon as practicable after the fifteenth and the last day of each calendar month, bills shall be rendered by officers in charge of testing laboratories to all persons from whom payment of fees and costs under

the regulations in this part shall have become due, provided that when necessary any bill may be rendered at an earlier date. Payments under the regulations in this part shall be by certified check or by draft or post office or express money order payable to the order of "Treasurer of the United States."

#### MISCELLANEOUS

§ 27.510 *Limitation of testing services.* If at any time funds available for services under the regulations in this part may be insufficient to provide for the testing of all samples that may be submitted for the purpose, the Director of Distribution may place reasonable limitations upon the quantities of samples to be submitted by individuals during any one fiscal year or any one calendar month, and may direct that samples received from cotton breeders shall take precedence over those received from other persons.

§ 27.511 *Confidential information.* No information concerning individual tests under the regulations in this part shall be published or communicated in such a way as to disclose to others the identity of the owners of cotton represented by samples submitted for testing, except with the written permission of such owners.

§ 27.512 *False and misleading information.* The publication or communication by any person of false or misleading information concerning the results of tests as reported by laboratories under the regulations in this part shall be deemed sufficient cause for denial of testing services to such persons.

Issued at Washington, D. C., this 11th day of September 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-14040; Filed, Sept. 11, 1944;  
3:26 p. m.]

#### Chapter XI—War Food Administration (Distribution Orders)

[WFO 71, Amdt. 2]

#### PART 1595—FOOD PRIORITIES

##### FOOD PRIORITIES

War Food Order 71, as amended (8 F.R. 2816, 7213; 9 F.R. 4321, 4319) is hereby completely revised and amended to read as follows:

§ 1595.1 *Food Priorities*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not and includes the States or any subdivision thereof and the United States and any department, agency, or instrumentality thereof.

(2) "Food" means all commodities and products, simple, mixed, or compounded, that are or may be eaten or drunk by either humans or animals, irrespective of other uses to which such commodities or products may be put, and at all stages of processing from the raw commodity to the product thereof in a vendible form

for immediate human or animal consumption, and includes all starches; sugars; tobaccos; vegetable, fish, marine animal, and animal fats and oils, whether edible or inedible, including their by-products and residues (whether resulting from refining, distillation, saponification, pressing, or settling); sulfated, sulfonated, and sulfurized fats and oils; tall oil; wool grease; soap; fatty acids; and glycerine.

(3) "Emergency order" means any contract or order for food to which a priority rating is attached or as to which the Director has issued specific directions, as provided in this War Food order.

(4) "Disposition" means the transfer of title to food by sale, gift, or any other means; the transfer of physical possession of food by delivery or otherwise, except for storage purposes; and the use of food in any process of production, manufacturing, or other use whereby the attributes of the food are changed.

(5) "Director" means the Director of Distribution, War Food Administration.

(b) *Assignment of priority ratings.*

(1) The Director may assign priority ratings to contracts, orders, or dispositions for food by means of priority rating certificates or, at his discretion, by other means. Such ratings may be assigned to dispositions under contracts or under orders prior to or after the time of placing or acceptance. Such ratings may be granted subject to conditions imposed on the use thereof by the director. The Director may also issue specific directions as to particular dispositions without assigning specific priority ratings thereto, and such directions shall take precedence over all other dispositions, regardless of any priority which may be assigned.

(2) A priority rating of FR-10 is hereby assigned to every contract of the United States Army, Navy, Coast Guard, Marine Corps (except contracts of Army and Marine Corps post exchanges and Navy and Coast Guard ship's service stores), War Shipping Administration, or War Food Administration (including but not limited to any corporate agency thereof) for the acquisition of food, and shall automatically apply to every contract entered into by any person contracting with any one of the above agencies unless a higher priority rating is assigned to such contract by the Director.

(c) *Duration of priority ratings.* Unless an emergency order is placed within the period of time specified on the food priority rating certificate or otherwise by the Director, the rating shall expire and be without force and effect. All priority ratings may be revoked at any time by the Director. A priority rating applied or extended before the expiration date continues in effect until the food is delivered, the rating is revoked, or the emergency order is cancelled.

(d) *Extension of priority ratings.* (1) Extension of priority ratings refers to the use of the rating assigned to such an emergency order by the person filling such order, for the purpose of obtaining the food needed to fill the order or to replace food which he has taken from his inventory to fill the emergency order. No person may extend any priority rating

to any of his suppliers or sub-suppliers unless the Director specifically authorizes such extension.

(2) Any person authorized to extend a priority rating shall do so only in the following manner:

(i) With respect to a written contract or order, by endorsing on or attaching to each contract or order to which the rating is extended a statement of the priority rating and a certification in substantially the form provided in Appendix A hereof, signed by an official duly authorized for such purpose.

(ii) With respect to an order placed by telegraph, by including in the telegram a certification substantially as follows:

Ratings indicated are extended pursuant to War Food Order 71.

A copy of such telegram signed by a duly authorized official shall, in every case, be furnished to the addressee thereof.

(3) Any person receiving an order or contract with such rating and certification attached shall be entitled to rely on the representations in such certification unless he knows or has reason to believe them to be false.

(4) The person authorized to extend a priority rating must place his order to which such rating is extended within the period of time specified by the Director.

(5) In extending a priority rating, no person shall order or purchase more food than needed to fill the emergency order or to replace in his inventory food used for filling the emergency order, even though he intends to cancel or reduce his orders to the correct quantity prior to delivery.

(6) No priority rating may be extended to any material other than food.

(e) *Sequence of priority ratings.* Priority ratings under this order shall be referred to and designated as Food Priority Ratings and shall have the following order of precedence: FR-1, FR-2, FR-3, FR-4, FR-5, FR-6, FR-7, FR-8, FR-9, FR-10.

(f) *Set aside quantities of food.* Unless specifically authorized by the Director, no person shall fill any emergency order by delivering the set aside portion of any food required to be set aside by any War Food order, except to fill an emergency order of an agency named in or designated pursuant to such War Food order.

(g) *Compulsory acceptance and delivery under emergency orders.* An emergency order must be accepted and filled and all dispositions under such orders must be made, whether pursuant to contract or not, in preference to any other disposition of food to the extent necessary to meet the delivery or production schedule provided in the emergency order, except that acceptance and disposition under such order need not be made:

(1) If the disposition called for cannot be made because of the previous scheduling of emergency orders bearing higher or equal priority ratings.

(2) If the person placing such order is unwilling or unable to pay prevailing market prices (but no more than any maximum price prescribed by the Office of Price Administration) for the food or-

dered, or is unwilling or unable to meet regularly established terms of sale or payment: *Provided*, That there shall be no discrimination against such orders in establishing such prices or terms.

(3) If the person with whom the emergency order is placed does not have a supply of such food in sufficient quantity to fill the order, and such food is of a kind which such person is not capable of producing without substantial alteration of or addition to such person's facilities. A person may not avoid acceptance or delivery by changing the form of the food produced by him.

If the person with whom the emergency order is placed is without authority to fill the order by selling the food in his possession, he shall immediately inform the person placing the emergency order of this fact and also inform him of the name of the person having such authority. Until such time as the emergency order is withdrawn or the priority rating is revoked, the person with whom the order is placed shall not make any disposition of food meeting the specifications of the order, or which can be made to meet such specifications, except as permitted by this order: *Provided*, That as soon as the person placing the order is notified that the person with whom the order is placed is without authority to fill the order, an emergency order shall thereupon be placed with the person owning or otherwise exercising proprietorship over such food. The food priority rating applying to an order for a product shall be deemed to apply also to the use of food to manufacture or produce such product.

Dispositions bearing no priority rating or lower priority ratings shall be deferred to the extent necessary to assure those dispositions bearing higher priority ratings, even though such deferment may cause defaults under other contracts or orders. Each person who has emergency orders on hand must schedule his production and deliveries so that dispositions thereunder will be made on the dates required, giving precedence in the case of unavoidable delay to dispositions bearing the higher rating.

(h) *Sequence of deliveries.* The sequence of disposition under emergency orders bearing the same priority rating shall be determined by the respective dates on which the emergency orders are placed, the emergency order placed first in point of time having precedence over other emergency orders. If emergency orders bearing the same priority rating are placed on the same day and it is impossible to deliver all the quantities specified on schedule, the sequence of disposition shall be determined by the delivery dates specified in the emergency orders.

(i) *Placing of emergency orders.* Emergency orders may be placed by regular or registered mail, by telegraph, or by personal service upon the person with whom the order is to be placed.

(j) *Failure to comply.* When the terms of an emergency order have not been complied with and such failure to comply appears to the person placing such order to be improper, a report shall

be filed promptly with the Director setting forth the facts in connection with such failure to comply. The Director may thereupon take such action as he deems appropriate.

(k) *Allocations.* When specific allocations of a food are made by the War Food Administrator or the Director by a War Food order, unless otherwise provided by the Administrator or Director (as the case may be), such allocation shall be made without regard to any food priority ratings which have been assigned to deliveries under particular contracts or purchase orders and shall prevail over any such priority ratings.

(l) *Use of food obtained under priority ratings.* Any person who obtains a delivery of any food by the use of a priority rating or pursuant to an order of the Director under paragraph (b) must use such food for the purpose for which it was obtained with priority assistance. If it cannot be used for such purpose, for any reason, such person shall promptly file a report with the Director describing the food and the circumstances and shall make such disposition of the food as the Director may direct.

(m) *Contracts.* The requirements of this order shall be observed without regard to contracts now existing or hereafter made or any rights accrued or payments made thereunder.

(n) *Records and reports.* Every person participating in a transaction involving an emergency order shall keep and preserve accurate records sufficient to show the following details concerning all his transactions (including those not involving any food priority) in the food named in the emergency order: (1) A copy of contracts or orders and invoices or sales slips, (2) the dates on which all orders were accepted or rejected, (3) the delivery dates requested and the dates of actual delivery, (4) a description of the food involved, (5) a record of disposition by classes, types, quantities, and values, (6) the names of parties involved in each transaction and disposition, (7) the priority rating, if any, assigned or extended to the order or contract, (8) the names of persons, if any, to whom the priority rating is extended and the quantity of food received under each extension, and (9) the priority rating certificate, if any. The records required above may be kept by preserving the usual business papers and records insofar as they provide the information required. If the food covered by the emergency order is delivered on time, the above records need cover only the period between the placing of the order and delivery and must be preserved for a period of two years. If delivery under the emergency order is deferred, the required records must cover the period beginning with the receipt of the order and ending two months after the time for delivery or actual delivery (whichever is later), and must be preserved for a period of two years. The Director shall be entitled to obtain such information and require such reports and the keeping of such additional records by any person as may be necessary and appropriate in his discretion to the enforce-

ment or administration of the provisions of this order.

(c) *Audits and inspections.* The Director shall be entitled to make such audits and inspections of the books, records, and other writings, premises or stocks of food of any person participating in any transaction with respect to which any priority rating issued hereunder applies, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(p) *Illegal use of priority rating.* No person shall claim or assert any priority rating for any contract or order for food unless such contract or order has priority under paragraphs (b) or (d) hereof, or has priority under paragraph (c) of this order as such paragraph (c) existed prior to the effective date of this amended order.

(q) *Petition for relief from hardship.* Any person affected by this War Food Order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to the Administrator, War Food Order No. 71, Office of the Director, Office of Distribution, War Food Administration, Washington 25, D. C. The petition shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The filing of any such petition shall not excuse compliance with any of the provisions of this order unless the Director permits withholding of deliveries pending the disposition of the petition. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he may, by requesting the Order Administrator therefor, obtain a review of such action by the Director. The Director may, after such review, take such action as he deems appropriate, which action shall be final.

(r) *Violations.* The Director may prohibit any person who violates any provision of this order from receiving, making deliveries of, or using any material subject to priority or allocation control by the War Food Administrator. In addition, any person who wilfully violates any provision of this order is guilty of a crime, and may be prosecuted under any or all applicable laws including the Act of June 28, 1940, as amended by the Act of May 31, 1941 and Title III of the Second War Powers Act, 1942. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(s) *Priorities regulations of the War Production Board superseded.* This order supersedes all priorities regulations of the War Production Board insofar as such priorities regulations apply to food.

(t) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall,

unless instructions to the contrary are issued by the Director, be addressed to the Administrator, War Food Order 71, War Food Administration, Washington 25, D. C.

(u) *Delegation of authority.* The administration of this order, and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any person within the United States Department of Agriculture any or all of the authority vested in him by this order.

(v) *Territorial scope.* The provisions of this order shall apply to all persons in the United States, its territories and possessions, and the District of Columbia.

(w) *Effective date.* This order, as amended, shall be effective September 15, 1944. With respect to violations of said War Food Order 71, as amended, rights accrued or liabilities incurred prior to the effective date of this amendment, said War Food Order 71, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 11th day of September, 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

#### AFFIDAVIT A—FORMS

1. Any contract bearing a priority rating of FR-10 conferred by paragraph (b) of War Food Order 71 (7 CFR § 1595.1 (b)) may contain substantially the following language:

This contract carries an automatic priority rating of FR-10 under the terms of paragraph (b) of War Food Order 71. That Order requires that deliveries under this contract be given priority over other dispositions bearing lower or no priority ratings.

2. Any contract or order bearing a priority rating conferred by the Director under paragraph (b) of War Food Order 71 (7 CFR § 1595.1 (b)) may contain substantially the following language:

This order (contract) bears a priority rating of FR-\_\_\_\_\_ under authorization No. \_\_\_\_\_ issued to \_\_\_\_\_ by the Director of Distribution, War Food Administration, pursuant to War Food Order 71. Delivery on this order (contract) is required by War Food Order 71 to be given priority over dispositions bearing lower or no priority ratings.

3. The person authorized by this Order to use an extended priority rating under paragraph (d) of War Food Order 71 (7 CFR § 1595.1 (d)) on any written contract or order, shall attach substantially the following certificate:

#### CERTIFICATE

This order (contract) bears a priority rating of FR-\_\_\_\_\_ under authorization No. \_\_\_\_\_ issued by the Director of Distribution, War Food Administration. Delivery on this order (contract) must be given priority over dispositions bearing lower or no ratings. The

undersigned hereby represents to the seller and to the War Food Administration that he is entitled to extend the above food priority rating and that such extension is in accordance with War Food Order 71, with the terms of which the undersigned is familiar.

Date \_\_\_\_\_  
\_\_\_\_\_  
Name \_\_\_\_\_  
\_\_\_\_\_  
Address \_\_\_\_\_  
By \_\_\_\_\_  
Duly authorized officer

[F. R. Doc. 44-14941; Filed, Sept. 11, 1944; 3:23 p. m.]

[WFO 76, Amdt. 3]

PART 1460—FATS AND OILS

WOOL FAT

War Food Order No. 76, as amended (8 F.R. 11465, 9 F.R. 4319), is further amended to read as follows:

§ 1460.28 *Restrictions on production, sale, and delivery of wool fat*—(a) *Definitions*—(1) "Wool fat" means that fat or grease extracted from wool by whatever means including all types, grades, and kinds recovered. The term also includes Adeps Lanae; USP Lanolin, Technical Lanolin, Neutral Wool Fat (grease), Neutral Degras of all grades and types, common or crude Degras, and common or crude wool grease and wool waxes, alcohols, or other derivatives of wool fat.

(2) "Lanolin" means any wool fat equivalent to or of a higher grade than technical lanolin as defined in section 13.1 of Maximum Price Regulation 53, issued August 8, 1944, by the Office of Price Administration. The term shall include both hydrous and anhydrous grades of Adeps Lanae, USP Lanolin, Cosmetic Lanolin, Technical Lanolin, and any wool fat or wool fat product represented and sold as lanolin.

(3) "Cosmetics" means all products intended to be applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance, including, but not limited to, toilet soaps containing wool fat, shaving creams containing wool fat, hand lotions, after shaving lotions, and hair dressings and tonics.

(4) "Producer" means any person engaged in recovering any type or grade of wool fat regardless of whether such person further refines such wool fat.

(5) "Refiner" means any person engaged in the refining of wool fat.

(6) "Distributor" means any person who acquires wool fat for resale without further refining.

(7) "User" means any person (except a refiner of wool fat) who is engaged in the manufacture of any product by any process which requires the use of wool fat, regardless of whether wool fat is incorporated into such product.

(8) "Current rate of consumption" means the quantity of wool fat used during the preceding 30-day period or the quantity scheduled to be used during the ensuing 30-day period.

(9) "Inventory" means the total quantity of wool fat or lanolin, as the case may



be, owned by any person at any particular time.

(10) "Certified order" means a written order to a supplier of wool fat which has attached thereto or incorporated therein a certificate executed in accordance with (b) (2) hereof.

(11) "Base period" means the calendar years 1941 and 1942, or such other period as may be established by the Director.

(12) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(13) "Director" means the Director of Distribution, War Food Administration.

(b) *Certified orders.* (1) Except as specifically authorized by the Director, no person shall, in any calendar month, sell or deliver wool fat to any user on other than certified orders, unless and until he has filled or offered to fill all certified orders received by him on or before the 16th day of such month.

(2) Any user who desires wool fat for any purpose other than non-military fur dressing, or the manufacture of cosmetics or mechanic's hand soap, may, prior to the delivery of such wool fat, transmit to his supplier a written order which has attached thereto or included therein a properly executed certificate in substantially the following form:

The undersigned hereby certifies to the War Food Administration and to \_\_\_\_\_

Supplier  
that he is familiar with the terms of War Food Order No. 76, that this certificate is furnished to enable the undersigned to obtain delivery of \_\_\_\_\_ pounds of wool fat on or about \_\_\_\_\_, and that no

Date  
part of such wool fat will be used for the non-military dressing of furs or for the manufacture of cosmetics or mechanic's hand soap.

\_\_\_\_\_ Date \_\_\_\_\_ Purchaser  
By \_\_\_\_\_ Title \_\_\_\_\_

(3) No person who receives wool fat pursuant to a certified order shall use any part of such wool fat for non-military fur dressing, or for the manufacture of cosmetics or mechanic's hand soap.

(c) *Deliveries for use in cosmetics.* (1) No person shall sell or deliver wool fat for use in the manufacture of cosmetics in excess of such percentage as may be authorized from time to time by the Director, of the yearly average amount of wool fat sold and delivered by such person for such purpose during the base period.

(2) No person shall sell or deliver wool fat for use in the manufacture of cosmetics unless and until he has notified the Order Administrator of his total sales and deliveries of wool fat direct to cosmetic manufacturers during the base period.

(d) *Inventories.* (1) No person shall produce lanolin in any amount which will cause his inventory thereof to exceed a quantity equal to a month's supply based upon his deliveries of lanolin during the preceding calendar month.

(2) No distributor shall accept delivery of lanolin or of wool fat other than lanolin in any amount which will cause his inventory of either of such products

to exceed a quantity equal to a month's supply based upon his deliveries during the preceding calendar month.

(3) No user shall accept delivery of wool fat in any amount which will cause his inventory thereof to exceed (i) a quantity equal to a month's supply based upon his current rate of consumption, or (ii) 600 pounds, whichever is the greater.

(4) Except as specifically authorized by the Director, no person shall deliver wool fat to any user or distributor unless he receives, together with the order for such wool fat, a properly executed certificate in substantially the following form:

The undersigned hereby certifies to the War Food Administration and to \_\_\_\_\_

\_\_\_\_\_ that  
(Supplier)

he is familiar with the terms of War Food Order No. 76, and that the acceptance of delivery of \_\_\_\_\_ pounds of \_\_\_\_\_ covered

(Specify type or grade of wool fat)  
by the attached order will not cause his inventory to exceed:

\* A quantity of wool fat equal to a month's supply based upon the current rate of consumption;

\* 600 pounds;

\* A quantity of lanolin equal to a month's supply based upon deliveries during the preceding month;

\* A quantity of wool fat other than lanolin equal to a month's supply based upon deliveries during the preceding month.

\_\_\_\_\_ Date \_\_\_\_\_ Deliverer  
By \_\_\_\_\_ Title \_\_\_\_\_

(5) Notwithstanding any other provision of (d) hereof, any person may deliver or accept delivery of wool fat in quantities of 10 pounds or less for any purpose other than the manufacture of cosmetics. No certificate shall be required for any such delivery or acceptance of delivery.

(e) *Transfers between departments or plants.* The transfer of wool fat between units, departments, plants, or companies owned, controlled, or directed by the same person shall constitute delivery or acceptance of delivery within the meaning of this order.

(f) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(g) *Records and reports.* (1) Every person who uses more than 1,200 pounds of wool fat in any calendar quarter shall properly fill out and mail to the Bureau of the Census, Washington 25, D. C., Bureau of the Census Form BM-1 for each month, on or before the 15th day of the following month, and Bureau of the Census Form BM-2 for each calendar quarter, on or before the 15th day of the second month following such calendar quarter. Nothing contained herein shall be construed as requiring any person to file more than one Form BM-1 in any month or more than one Form BM-2 in any calendar quarter, except that a separate report shall be filed for each plant in which such person uses wool fat.

\*Strike inapplicable provisions.

(2) Every producer of wool fat shall, within 15 days after the end of each calendar month, properly fill out and mail to the Order Administrator one copy of Form FDA-476 showing his actual and estimated production, deliveries, and stocks of wool fat.

(3) Every refiner of wool fat shall, within 15 days after the end of each calendar month, properly fill out and mail to the Order Administrator one copy of Form FDA-476 showing his actual and estimated production, deliveries, and stocks of lanolin, and his actual and estimated production, deliveries, and stocks of wool fat other than lanolin.

(4) All certificates executed under this order shall be retained for inspection by and delivery to the Director upon request. All statements contained in such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(h) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of wool fat of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to any petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by a request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(j) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using wool fat. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 76, Fats and Oils Branch, Office of Distribution, War Food Administration, Washington 25, D. C.

(l) *Delegation of authority.* (1) The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are

hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(2) The Director is authorized to establish additional regulations governing the use or consumption of wool fat, or the quantity thereof held in storage or inventory by any person, whenever he finds such regulations necessary to effectuate the purposes of this order.

(m) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(n) *Effective date.* This order shall become effective at 12:01 a. m., e. v. t., October 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 76, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3307; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 11th day of September 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-14039; Filed, Sept. 11, 1944;  
3:27 p. m.]

## TITLE 29—LABOR

### Chapter VI—National War Labor Board

#### PART 801—RULES OF ORGANIZATION

##### POST-DIRECTIVE COMMITTEE

SEPTEMBER 1, 1944.

Section 801.12 of the "Rules of Organization and Procedure of the National War Labor Board" has been amended to read as follows:

§ 801.12 *The Post-Directive Committee of the Board.* This Committee shall consist of two representatives of labor, two representatives of industry, and two public members who shall serve as Chairmen. For a description of the functions of this Committee, see §§ 802.12 and 802.13 below.

Adopted August 30, 1944.

(E.O. 9250, Oct. 3, 1942, 7 F.R. 7871; as amended by E.O. 9381, Sept. 25, 1943, 8 F.R. 13083; E.O. 9328, Apr. 8, 1943, 8 F.R. 4681; Regulations of Economic Stabilization Director, Oct. 27, 1942, 7 F.R. 8748, 8 F.R. 6489, 6490, 11960, 12139, 12238, 16702; Inflation Control Act of 1942, Act

of Oct. 2, 1942, C. 573, 56 Stat. 765, Pub. Law 729, 77th Cong.)

THEODORE W. KHEEL,  
Executive Director.

[F. R. Doc. 44-14951; Filed, Sept. 12, 1944;  
9:32 a. m.]

#### PART 802—GENERAL ORDERS

##### WAGE ADJUSTMENTS OF CERTAIN CIVILIAN NAVY EMPLOYEES

Paragraph (a) of § 803.18 (General Order No. 18 (8 F.R. 12042)) has been amended to read as follows:

§ 803.18 *Delegation of authority to Secretary of the Navy with respect to wage adjustments of certain civilian employees.* (a) The National War Labor Board hereby delegates to the Secretary of the Navy, to be exercised in his behalf by the Office of the Assistant Secretary of the Navy, hereinafter referred to as "the Navy Department Agency" power to rule upon all applications for wage and salary adjustments (insofar as approval thereof has been made a function of the National War Labor Board), covering civilian employees within the continental limits of the United States, Alaska and the Territory of Hawaii, employed directly by the Navy Department (but excluding persons employed in government owned, privately operated facilities of the Navy Department), all in accordance with the further provisions of this order.

Adopted August 26, 1944.

(E.O. 9250, 7 F.R. 7871)

THEODORE W. KHEEL,  
Executive Director.

[F. R. Doc. 44-14050; Filed, Sept. 12, 1944;  
9:32 a. m.]

#### PART 803—GENERAL ORDERS

##### WAGE ADJUSTMENT; CUSTOM TAILORING AND COMMERCIAL PRINTING IN LOS ANGELES, CALIF., AREA

The National War Labor Board under paragraph (d) of § 803.4 (General Order 4) has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

37. The custom tailoring industry in Los Angeles County, California, of Region X. For the purposes of this subsection this industry is to be defined as follows:

Establishments engaged in making and/or selling men's and women's clothing made to the individual measure and/or specifications of the customer, but not including those who produce their clothing by the methods commonly known as cut, make and trim.

38. Employers in commercial printing industry in Los Angeles and Orange County, and all valley communities east to and including San Bernardino and Riverside, California.

(E.O. 9250, 7 F.R. 7871)

Approved: September 5, 1944.

THEODORE W. KHEEL,  
Executive Director.

[F. R. Doc. 44-14070; Filed, Sept. 12, 1944;  
11:29 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

#### Subchapter D—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 7618, as amended by 55 Stat. 236 and 59 Stat. 176; E.O. 6824, 7 F.R. 323; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3333, 3336; P.R. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

#### PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-91, Direction 2]

##### OPERATION OF LOOMS TO PRODUCE TENTAGE FABRICS FOR THE ARMY AND NAVY

The following direction is issued pursuant to Conservation Order M-91:

1. Notwithstanding any of the provisions of Limitation Order L-83, each loom that at any time during the first quarter of 1943, produced or was assigned to produce Army Duck, Numbered Duck, Shelter Tent Duck or Flat Duck, may during the period commencing October 1, 1944 and ending December 31, 1944, be operated only to produce Army Duck (8 oz. on a 28½" width basis, and heavier), Numbered Duck, Flat Duck (12.10 oz. per square yard, and heavier), or Shelter Tent Duck.

2. No producer of cotton duck may have in his inventory at any time during the 4th calendar quarter of 1944, more Army Duck, Numbered Duck, Flat Duck and Shelter Tent Duck in the gray than an amount equal to one-half of his production of these fabrics in the preceding calendar month, unless he has offered in writing his entire inventory of such fabrics for sale to the U. S. Army or Navy.

Issued this 11th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14046; Filed, Sept. 11, 1944;  
4:20 p. m.]

#### PART 1044—CADMIUM

[General Preference Order M-65, as Amended Sept. 12, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cadmium for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1044.1 *General Preference Order M-65—(a) Scope of this order.* This order controls deliveries of cadmium from a producer or distributor. No producer or distributor shall deliver cadmium to any person, and no person shall accept delivery of cadmium from any producer or distributor, except as provided in this order. The order also restricts the use which may be made of cadmium or cadmium products. The permitted uses will be found listed below in paragraphs (d) and (e).

(b) *Definitions.* For the purposes of this order:

(1) "Cadmium" means all grades of metallic cadmium, oxide, or plating salts produced directly from ores, concentrates or other primary materials, or redistilled or remelted from cadmium scrap or any secondary cadmium-bearing material; or cadmium-bearing materials suitable for the manufacture of pigments.

(2) "Cadmium product" means an electroplated coating of cadmium.

(3) "Distributor" means any person regularly engaged in the business of buying cadmium and selling the same in forms suitable for general fabrication or electroplating. It also includes laboratory supply houses to the extent they are engaged in buying and selling cadmium in any form to laboratories.

(c) *Deliveries of cadmium.* Producers and distributors may deliver cadmium, and persons may accept delivery of cadmium from a producer or distributor in the following cases only:

(1) *Small order delivery.* Deliveries of cadmium from a producer or distributor may be made and accepted without the necessity of obtaining any specific authorization from the War Production Board if (i) The delivery in question, combined with all other deliveries of cadmium to the purchaser during that calendar month, from whatever source, will not aggregate more than 100 pounds of contained cadmium; (ii) The purchaser has not requested from the War Production Board authorization for that particular month to accept delivery of cadmium in any quantity—see paragraph (c) (5) below (a request to the War Production Board shall be deemed a request within the meaning of this paragraph, regardless of whether it has been granted or denied); (iii) The cadmium purchased will be used only as permitted in paragraphs (d) and (e) of this order and not for resale; (iv) The inventory of the purchaser is not, and will not upon acceptance of the delivery become, in excess of a 30-day supply on the basis of his current method and rate of operation; and (v) The producer or distributor may make deliveries without any specific authorization from the War Production Board unless he knows or has reason to believe, that the delivery will be in violation of this paragraph (c) (1) or that the cadmium delivered is to be used in violation of the restrictions of this or other applicable orders of the War Production Board.

(2) *Deliveries to distributors.* Deliveries of cadmium may be made to and accepted by distributors.

(3) *Deliveries to Metals Reserve Company.* Deliveries of cadmium may be made to and accepted by Metals Reserve Company for the sole purpose of stockpiling or redistribution.

(4) *Deliveries to laboratories.* Deliveries of cadmium may be made to and accepted by laboratories.

(5) *WPB authorization.* Other deliveries of cadmium may be made only on specific authorization of the War Production Board and in accordance with

an authorization certificate issued by the War Production Board on Form WPB-945. Deliveries so specifically authorized shall take precedence over any preference rating which may be assigned to deliveries on other contract or orders. Authorization certificates will be issued on or about the first of each month for this purpose. An authorization certificate will authorize the holder to accept from a producer or distributor deliveries of specified amounts of cadmium shipped during the month for which the certificate is issued. The producer or distributor may ship on notification from the purchaser of the date and serial number of the authorization certificate. Any person wishing to apply for an authorization certificate should file an application on Form WPB-945 not later than the fifteenth day of the month preceding the month in which the authorization to purchase is desired.

(d) *Restrictions on the use of cadmium.* No person may use in any fashion any cadmium except for one or more of the following purposes, and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product, and to maintain a thirty-day supply of the cadmium containing item on the basis of current rate of deliveries for permitted uses. No person who uses cadmium may deliver the cadmium containing item to any person except on receipt by him, directly or through a dealer, from the person who will receive delivery of the cadmium containing item, of a certification substantially in the form prescribed by Priorities Regulation No. 7 that the cadmium containing item to be delivered will be used for one or more of the following purposes:

(1) For the manufacture of pigments for the following:

Luminescent paint for military uses  
Luminescent printing ink for military uses  
Luminescent paper for military uses  
Luminescent plastic for military uses  
Signal and illuminating glass ware for safety, religious, military and industrial uses only  
Thermometer tubing  
Rubber sea buoys  
Dental rubber  
Artist's colors  
X-ray fluoroscopic screens for medical purposes

Luminescent coatings for cathode ray tubes, except tubes to be used in signs, lighting fixtures or lamps.

(2) For the manufacture of silver brazing alloys containing no more than 11% by weight of cadmium to be used for military and industrial purposes to the extent that the use of a less critical material is impracticable except that silver brazing alloys containing up to 19% may be manufactured for applications specifically required by the Armed Services and for identical industrial applications.

(3) For the manufacture of copper base alloys containing no more than 1¼% by weight of cadmium for the following:

(i) Current carrying parts of electrical current interruption devices to the ex-

tent that sufficient contact pressure cannot be maintained in service with other less critical materials.

(ii) Parts inside electronic tubes.

(iii) Resistance welding electrodes.

(iv) Overhead electrical contact wire for repair and replacement in railway, street car and trolley bus systems.

(v) Multistrand railroad signal bond wire.

(vi) Shunt wire leads for motors and generators.

(vii) Flexible terminals of resistors, condensers and field coils.

(4) For the manufacture of bearings for the following:

(i) Internal combustion engines for the propulsion of naval vessels when specifically required by the U. S. Navy.

(ii) In radio and radar equipment.

(5) For the manufacture of low melting point alloys for the following:

(i) On dry type rectifier elements.

(ii) In fire protective systems, safety devices and electrical fuses.

(iii) Plugs for screwless fasteners in rimless metal spectacles.

(iv) Dental use.

(6) For the manufacture of low melting point alloys containing no more than 10% by weight of cadmium for the following:

(i) In plastic fire control instruments for the mounting of optics.

(ii) Seals between brass and glass parts of liquid high voltage fuses.

(iii) In the manufacture of inspection gauges.

(iv) Bending of thin wall tubes.

(v) Bending of finished roll-formed and extruded shapes.

(7) For the manufacture of low melting point alloys containing no more than 6.5% by weight of cadmium for the following:

(i) Anchorage of punch press dies and bushings in drill jigs.

(ii) Location of control points and surfaces (except floor grouting) in construction of fixtures.

(8) For the manufacture of zinc base alloy, containing no more than .5% by weight of cadmium, for rolling.

(9) For the manufacture of type metal containing no more than .5% by weight of cadmium.

(10) For the manufacture of a lead base alloy containing no more than 3% by weight of cadmium for the coating of copper wire;

(11) For the manufacture of any cadmium product permitted by paragraph (e).

(12) For the manufacture of items classified as secret, to the extent that certification of engineering necessity issued by the Armed Services has been filed with the first request for allocation for this use on Form WPB-945.

(13) For the manufacture of standard cells.

(14) For the manufacture of electrolytic testers for storage batteries.

(15) For the manufacture of cadmium impregnated carbon or of cadmium-silver alloys for use as contacts in electric current interruption devices.



(16) For use in laboratories for research, control, analysis, assaying, or educational work.

(17) For the manufacture of cadmium chemicals.

(e) *Restrictions on the use of cadmium products.* No person may use in any fashion any cadmium product except as permitted in subparagraphs (1) to (22), and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end product:

(1) On functional parts which in service are subjected to frequent and extended periods of alternate immersion in sea water or wet spray of sea water to the extent that other finishes cannot be used for reasons of close tolerance or performance;

(2) On heddles and pin boards used in textile plants to the extent that corrosive action makes the use of other materials impracticable;

(3) On ferrous hardware parts in direct contact with fabric or leather when used on the following:

Aircraft parachutes.  
Aircraft safety belts.  
Aircraft shoulder harnesses.  
Aircraft bomb slings.

(4) On moving parts which require close tolerances for proper functioning and on parts adjacent to such moving parts, to the extent that the tolerances cannot be maintained in service with other finishes because of mechanical or electrical interference by the products of corrosion or wear.

(5) On electric controllers and switches incorporated into underground mining machinery as required by the safety regulations of the Bureau of Mines;

(6) On the following ferrous parts which in service reach a temperature of 500° F. or higher and on parts in contact with such ferrous parts:

(i) Aircraft parts requiring corrosion protection;

(ii) Functional parts subject to the combined effect of corrosion and stress.

(7) On parts which serve to maintain an electrical contact for the suppression of radio interference to the extent that one of the contacted surfaces is aluminum, magnesium or their alloys;

(8) On electrical contact parts of aircraft ignition harnesses and propeller hubs;

(9) On parts of electrical equipment to the extent that they, for performance reasons, must be soldered with the use of noncorrosive fluxes and other finishes do not provide required corrosion protection.

(10) On the following parts of electronic equipment when required by the Armed Services, the Maritime Commission and War Shipping Administration:

(i) Surfaces involved in unsoldered butt joints which must remain constant in electrical and radio frequency resistance or both.

(ii) Surfaces which require good conductivity for radio frequency current.

(iii) Non-ferrous parts in contact with aluminum parts for prevention of electrolytic corrosion.

(11) On ferrous nuts, bolts, machine screws and washers for use in aircraft except for self-locking nuts designed for application below 250° F.;

(12) On nuts, bolts, machine screws and studs having threads  $\frac{3}{8}$  inch diameter and smaller and/or having sixteen or more threads per inch for use by the United States Navy, Maritime Commission or War Shipping Administration and for use by the United States Army in ship construction.

(13) On parts subject to frictional contact at least one of which is a moving part, to the extent that other finishes of required thickness and corrosion protective value cause gouging, seizure or binding.

(14) On parts which in service are subjected to the corrosive action of chlorine except on items which contact chlorine only during laundry operations.

(15) On parts of items classified as secret, to the extent that certification of engineering necessity issued by the Armed Service has been filed with the first request for Allocation for this use on Form WPB-345.

(16) On high carbon steel springs and on parts which of necessity have been assembled with such springs before the plating operation, to the extent that the springs are subject to both alternating stresses of a magnitude approaching the fatigue limit of the steel and to corrosive influences requiring a high degree of corrosion protection, if the springs fall in one of the following categories:

(i) Flat springs of a thickness of  $\frac{3}{32}$  inch or less;

(ii) Springs made of wire of a diameter of  $\frac{1}{8}$  inch or less;

(iii) Valve springs for marine Diesel engines; or

(iv) Springs for aircraft landing gear.

(17) On ferrous springs and on parts which of necessity have been assembled with such springs before the plating operation, to the extent that the springs are subject to corrosive influence requiring a high degree of corrosion protection, if the springs fall in one of the following categories:

(i) Detent springs of fuses when cadmium is specifically required by the cognizant Armed Service;

(ii) Spring parts of cowl fasteners for aircraft use;

(iii) Snap rings of a wire diameter of  $\frac{1}{8}$  inch or less for military and industrial uses; or

(iv) Lock washers and lock clips of a thickness of  $\frac{3}{32}$  inch or less for military and industrial uses.

(18) On carburetor and magneto parts for aircraft engines.

(19) On external parts of engines for combat aircraft, excluding attachments which are not integral parts of the engine proper, such as clips, clamps, and lugs, and further excluding such parts on which alternative finishes have proven satisfactory in service and newly

designed parts performing similar functions.

(20) On hydraulic fitting coupling sleeves made of copper alloys for use in aircraft.

(21) On electrical contact parts which touch parts of aluminum, magnesium or their alloys.

(22) On torpedo parts.

(f) *Certification on purchase orders.* No person shall place an order for, deliver or accept delivery of any cadmium or cadmium product, unless the purchaser shall have certified in substantially the form set forth in Priorities Regulation No. 7 that the cadmium products to be delivered will be used for a purpose permitted by this order.

(g) *Appeals.* Any person may appeal from the provisions of paragraphs (d) and (e) of this order. Only prohibited items should be included in an appeal. Appeals should be made in letter form, in triplicate, and must be filed with the Field Office of the War Production Board for the district in which is located the plant to which the appeal relates, setting forth essentially the following information:

(1) Period of time, not exceeding six months, for which relief is requested;

(2) Monthly schedule of the amount of contained cadmium required;

(3) Description (and for cadmium containing alloys also the alloy composition), function, number, and cadmium requirement of each part or of each group of parts fulfilling related functions;

(4) Prime contract number, including symbol, if the item on appeal is covered by an Army, Navy, Maritime Commission or War Shipping Administration contract;

(5) Justification, including the reasons why substitutes are unsatisfactory because of performance, lack of facilities or manpower. An unsupported opinion is seldom sufficient justification.

(h) *Special directions.* The War Production Board may, from time to time, issue special directions to any person as to the source, destination, special kinds and amounts of cadmium, to be delivered or acquired.

(i) *Reports.* All producers, distributors and consumers of cadmium shall file reports with the War Production Board, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, at such time and in such manner and form as it may prescribe, showing inventory, production, purchases, sales and consumption and such other information that the War Production Board may require.

(j) *Communications.* All applications, statements or other communications filed pursuant to this order or concerning the subject matter hereof, other than appeals from the provisions of paragraphs (d) and (e), shall be addressed to: War Production Board, Tin, Lead and Zinc Division WPB Dept. 7512, Washington 25, D. C.; Ref.: M-65.

(k) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14067; Filed; Sept. 12, 1944;  
11:38 a. m.]

#### PART 3270—CONTAINERS

[Conservation Order M-221, as Amended  
Sept. 12, 1944]

##### TEXTILE BAGS

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of textile bags for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3270.23 *Conservation Order M-221—(a) Definitions.* For the purposes of this order:

(1) "Textile bag" means any hand or machine sewed bag made for commercially packing, storing or shipping some commodity and manufactured of cotton, burlap or other textile fabric including open mesh fabrics woven from cotton or twisted paper yarns, but excepting shopping bags, carry-out bags, and combination textile-paper bags (bags made of textile laminated with paper).

(2) "New textile bag" means any textile bag when neither the fabric nor the bag has been previously used.

(3) "Used textile bag" means any textile bag when the bag or the fabric has been previously used.

(4) "Bag maker" means any person engaged in the business of manufacturing new textile bags.

(5) "Dealer" means any person whose principal business is that of buying, selling, or reconditioning empty textile bags.

(6) "User" means any person who acquired 500 or more empty new or used textile bags for use in his business during 1942 or who acquires such amount during any subsequent calendar year.

(7) "Commercial emptier" means any person who in the preceding three months acquired in his business and emptied 400 filled textile bags.

(8) "Export" means any shipment from the United States (the 48 states,

the District of Columbia, the territories, the island possessions of the United States and the Panama Canal Zone).

(9) "Agricultural products" includes, but is not limited to, beans; chocolate; coffee; cotton; feed; flour; fruits; grain; meal; nuts; potatoes; poultry grits; rice; salt; seeds; starch; sugar; tobacco; vegetables.

##### General Restrictions for All Persons

(b) *Joint responsibility.* No person shall deliver textile bags to any other person if he has reason to believe that the other person is not entitled to accept them under the provisions of this order or that they will be used for any purpose prohibited by this order.

(c) *Sampling bag-contents.* No person shall sample the contents of any new or used textile bag except by opening the closure or by inserting a probe or trier without damage to the fabric.

(d) *Sand bags.* No person shall purchase or accept delivery of any new or used textile bag to be used for protection against air raids or other war hazards.

(e) *Size changing.* No dealer, user, or commercial emptier shall change the size of any burlap bag, or convert it into a sheet, sewed burlap or bale covering while it has a commercial use as a bag, with or without mending.

(f) *Processing of used bags for sale.* No dealer, user, or commercial emptier shall sell or deliver any used textile bag to any person for his own use unless the bag has been processed and repaired and all holes, including trier or probe holes, properly mended or patched. Nothing in this paragraph shall prevent the delivery of any bag for the purpose of repair or delivery to the owner. For the purposes of this provision, "process" means to clean a used textile bag by washing, vacuuming, or any other method sufficient to prepare the bag for further reuse.

(g) *Sale of used raw sugar bags.* No dealer, user or commercial emptier shall sell or deliver any jute (gunny) sugar bags of the type used for packing Puerto Rican or Cuban raw sugar to any person for any use other than packing raw sugar. For the purposes of this paragraph, the bags referred to shall be limited to bags which have been used for packing raw sugar and which are still usable as raw sugar bags, with or without such mending as is commercially practical.

(h) *Export of empty bags.* No permission from the War Production Board is necessary to export empty new or used textile bags. The War Production Board has assigned an export quota to the Foreign Economic Administration and no person may export such bags to any destination other than Canada unless authorized by the Foreign Economic Administration. Applications for export licenses should be sent to the Foreign Economic Administration, Bureau of Supplies, Requirements & Supply Branch, Washington 25, D. C. General information and instructions for export are contained in the Comprehensive Export Schedule issued by the Foreign Economic Administration.

##### Additional Restrictions for Bag Makers

(i) *Prohibited practices.* No bag maker shall overstretch the raw edge or selvage edge of any new cotton textile bag or manufacture any bag in a manner that wastes material, as for example, with a false seam that enables the bag to be packed with a lesser amount of any of the commodities listed in paragraph (j) than its normal capacity.

(j) *Bag sizes for certain commodities—(1) Sizes permitted.* No bag maker shall manufacture any new textile bag designed for packing any commodity listed below, except in any size of more than 100 lbs. or in any of the sizes specified below for that commodity:

Bag designed for packing commodity specified	Bag size (net weight capacity unless otherwise specified)
(1)	(2)
Beans.....	2-5-10-25-50-100 lbs.
Cement (standard portland).....	94 lbs.
Flour (milled wheat).....	2-5-10-25-50-100 lbs.
Meal.....	2-5-10-25-50-100 lbs.
Plaster (gypsum).....	2-5-10-25-50-100 lbs. (gross weight)
Potatoes <sup>2</sup> .....	2-5-10-15-25-50-100 lbs.
Processed feed (mixed, mill).....	2-5-10-25-50-100 lbs.
Rice.....	2-3-5-10-15-25-50-100 lbs.
Salt.....	2-4-10-25-50-100 lbs.
Seeds.....	2-5-10-25-50-100 lbs. 1, 2 bu. <sup>3</sup>
Starch (corn).....	2-5-10-25-50-100 lbs.
Sugar (refined cane, beet).....	2-5-10-25-50-100 lbs.

<sup>1</sup> "Flour (milled wheat)" means any flour product produced by milling wheat, including blends of wheat flours and bleached, promoted, enriched phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, and cake flour.

<sup>2</sup> These restrictions do not apply to open mesh bags used for packing potatoes.

<sup>3</sup> Additional sizes are permitted as follows: 1/4 bu. of hybrid seed corn; 3 bu. for cotton seed.

(2) *Exception for export.* The size restrictions for paragraph (j) (1) above shall not apply to the manufacture of bags to be exported empty or filled.

##### Additional Restrictions for Commercial Emptiers

(k) *Emptying bags.* No commercial emptier shall remove the contents of any textile bag except by opening the closure, unless the contents have become so caked or solidified that salvage of the bag is not practicable.

(l) *Time-limit on holding empty bags.* Within 60 days after emptying any number of textile bags, a commercial emptier shall use, or transfer to dealers or users, an equal number of empty used textile bags from his inventory. Such disposition may be deferred beyond the 60-day period in the following cases:

(1) *Seasonal re-use.* If the commercial emptier needs the bags for packing a seasonal product (whether or not produced by him), he may retain them until the product becomes available for packing, subject, however, to the inventory restriction of paragraph (m) below.

(2) *Carload accumulation.* If, in accordance with his past practice, the commercial emptier wishes to accumulate a carload quantity of such bags for return to users for further packing of the kind of product last packed in them, he may retain such bags until he has accumulated a carload quantity.

*Additional Restrictions for Users.*

(m) *Inventory restriction.* No user shall accept delivery of any empty new or used textile bags at a time when, or when by virtue of the delivery, his inventory of new or used empty textile bags is or will be in excess of a practical minimum working inventory for the uses which are not prohibited by this order. Except in the case of bags required by a user for packing a seasonal product (whether or not produced by him), such inventory shall not exceed the aggregate number of new or used empty textile bags which will be required to carry on his business during the next sixty days.

(n) *Bags to be fully packed.* No user shall use a bag, for packing any number of pounds of any of the commodities listed in paragraph (j), that is larger than the bag customarily used by the trade for packing that number of pounds of that commodity.

(o) *Restrictions on use of new Calcutta wheat bags.* During 1944 and each succeeding calendar year, new Calcutta wheat bags shall be used only for packing wheat or small grains and only in the states of Arizona, California, Idaho, Montana, Oregon, Utah and Washington.

(p) *Products permitted for new burlap bags.* No user shall use any new textile bag made of burlap for packing any products other than the following: agricultural products; crushed oyster shells; fertilizer; meat; mohair; petroleum waxes; stearic acid; edible or inedible tankage; wool, or wool products; or chemicals for export. These restrictions do not apply to surplus new military sand bags which may be used to pack any product.

(q) *Products permitted for new cotton bags and open mesh bags made of cotton or twisted paper yarn.* No user shall use any new textile bags made of cotton or open mesh bags made of cotton or twisted paper yarn for packing any products other than the following:

Agricultural products; chemicals; cement; coins; currency; fertilizer; glue; gypsum; malt; meat; abrasives; paste; plaster; samples; sand; securities; shell fish; small parts; edible or inedible tankage; tire chains; or such other uses as may be authorized by the War Production Board in writing. Applications for such authorizations should be made on Form WPB-1319, which is to be filed in accordance with the instructions for its use. Applications will be considered only on the basis of the essential need for new cotton bags, the availability of the supply, and the availability of used cotton bags or substitute containers. The application form and the instructions may be obtained at all War Production Board offices.

(r) *Mohair bags.* No user shall use any new or used textile bag for packing mohair unless the word "mohair" ap-

pears in legible type on both sides of the bag.

(s) *Use of wool bags.* Wool bags shall be used only for packing or wrapping wool or wool products. A "wool bag" is any new or used textile bag, made of burlap between 5½ and 7½ feet in length, ordinarily used to package wool. Such bag shall not be considered a wool bag when no longer capable of carrying any of the following: fleece wools, grease wools, pulled wools, scoured wools, nolls, wool wastes or mohair.

*General Exceptions*

(t) *Bags for certain Government agencies.* The restrictions of this order shall not apply (1) to the manufacture of textile bags manufactured to meet the packaging specifications of, and for delivery to or for the account of, the persons listed below or (2) to the purchase, acceptance, use, or export of textile bags by those persons: The Army, Navy, United States Post Office, Federal Reserve System, United States Treasury Department (for Lend-Lease requirements and for coin, currency, and securities requirements), War Shipping Administration, Maritime Commission, any person pursuant to authorization by the Maritime Commission under Form WPB-646 (formerly PD-300), or any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(u) *Certification.* No person shall sell or deliver any textile bags in quantities of 1000 or more except under a purchase order or contract validated by the delivery to such person of a purchaser's certificate signed manually or as provided in Priorities Regulation No. 7. The certificate shall be in substantially the form set forth in this paragraph, and, once filed by a purchaser with a supplier covers all future deliveries from that supplier to that purchaser:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M-221 of the War Production Board, and that all purchases from you of items regulated by that order, and the use of the same by the undersigned, will be in compliance with the order, as amended from time to time.

NOTE: Paragraphs (v) through (aa), formerly paragraph (u) through (z), redesignated Sept. 12, 1944.

*Miscellaneous Provisions*

(v) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington (25), D. C., Ref: M-221.

(w) *Appeals.* Appeals from Order M-221 shall be filed by addressing a letter to the War Production Board, Containers Division, Washington (25), D. C., Ref: M-221.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

(x) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(y) *Budget approval.* The reporting requirements set forth in paragraph (q) of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(z) *Other reports.* All persons affected by this order shall execute and file with the War Production Board, such other reports and questionnaires as said Board shall from time to time request subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(aa) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14063; Filed, Sept. 12, 1944;  
11:33 a. m.]

## PART 3284—BUILDING MATERIALS

[Limitation Order L-236, as Amended Sept. 12, 1944]

## HARDWARE SIMPLIFICATION

§ 3284.81 *Limitation Order L-236—*

(a) *Issuance of schedules of simplification of lines.* The War Production Board may, from time to time, issue schedules establishing simplified practices with respect to types, sizes, forms, specifications or other qualifications for any hardware. From and after the effective date of any such schedule, no such products shall be produced or fabricated, except as specifically permitted by such schedule.

(b) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating the grounds of the appeal. Appeals shall be filed with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(c) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(d) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Ref.: L-236.

(e) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14065; Filed, Sept. 12, 1944;  
11:38 a. m.]

#### PART 3284—BUILDING MATERIALS

[Limitation Order L-236, Schedule I as  
Amended Sept. 12, 1944]

#### BUILDERS' FINISHING HARDWARE, CABINET LOCKS AND PADLOCKS

§ 3284.82 *Schedule I to Limitation Order L-236—(a) Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who manufactures, fabricates, assembles, melts, casts, extrudes, rolls, turns, spins, finishes, or otherwise processes builders' finishing hardware, cabinet locks or padlocks.

(2) "Builders' finishing hardware" means the following devices produced for supporting, guarding, operating, controlling, or securing various parts of a building or structure: butts, hinges, hasps and related items; checking floor hinges; cabinet hardware, including cabinet hinges, knobs, pulls, and catches; hydraulic door closers; hangers, track, pivots, guides, and related items; locks and door trim; sash, screen and shelf

hardware; night latches and dead locks; spring hinges; lavatory door hardware; panic bolts; sash balances; door holding devices: This definition of "builders' finishing hardware" also includes articles which are commonly understood by the industry to be "builders' finishing hardware," such as metal mail boxes, screen door braces, kick plates and push bars.

(3) "Cabinet lock" means a lock (exclusive of an entrance or communicating door lock, night latch, or padlock) operated by a key or combination, which is designed and constructed for the purpose of guarding, controlling, or securing the opening of a box, cabinet, cupboard, desk, drawer, locker, wardrobe or part of a building.

(4) "Padlock" means a portable locking device consisting of a case and shackle designed and constructed for the purpose of guarding, controlling or securing the access to any building, structure, container or article.

(5) "Lend-Lease Government" means the government of any foreign country pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act.)

(b) *Simplified practices.* No producer shall manufacture, put in process, assemble or otherwise complete any builders' finishing hardware, cabinet locks or padlocks except those items named in Tables I through XV of this Schedule I, and those permitted items must conform with the sizes, types, materials, grades, finishes and other specifications set forth in those Tables.

(c) *Tolerance.* A tolerance is permitted in the sizes set forth in Tables I through XV of this schedule of  $\frac{1}{32}$ " plus or minus.

(d) *Keys.* Locks and latches keyed alike shall be furnished with not more than one key per lock or latch. Other locks and latches shall be furnished with not more than two keys per lock or latch. Only three master keys may be furnished with each group of locks or latches when required to be master keyed.

(e) *Exceptions.* The provisions of this schedule do not apply to:

(1) Builders' finishing hardware and cabinet locks specifically designed for use in the operation of a railroad or street railway, except in the construction of a building.

(2) Railway switch padlocks.

[Subparagraphs (3) through (6) formerly (2) through (5) redesignated Sept. 12, 1944]

(3) Builders' finishing hardware, cabinet locks or padlocks specifically designed to protect electrical equipment.

(4) Prison locks, time locks, locks for bank safe deposit boxes or vault door hardware.

(5) Special hardware required for aircraft hangar doors.

(6) Elevator door hardware.

(7) Locks required for fire doors bearing underwriters' label.

(8) Builders' finishing hardware, cabinet locks or padlocks where the use of non-sparking metal is necessary to prevent a hazard in the use or storage of explosive or inflammable materials.

(9) Builders' finishing hardware and cabinet locks for use by the Army, Navy and Veterans' Administration in the construction of a permanent hospital and all buildings in the hospital group.

(10) Builders' finishing hardware and cabinet locks produced for export under a license issued by the Office of Foreign Economic Administration or to fill an order of a Lend-Lease government when the sizes, types and designs permitted in Tables I through XV will not fulfill the requirements of foreign use. (This is not an exception as to the materials or finishes permitted in Tables I through XV).

[Subparagraphs (11) and (12) formerly (8) and (9) redesignated Sept. 12, 1944]

(11) Parts produced for the repair of builders' finishing hardware, cabinet locks or padlocks.

(12) Locks required for fire doors bearing Underwriters' label.

(f) *Records.* Each producer of builders' finishing hardware, cabinet locks and padlocks shall execute and file with the War Production Board such reports and questionnaires as shall be required from time to time.

(g) *Fabricated parts.* The use of fabricated parts of copper or copper base alloy in the production of builders' finishing hardware, cabinet locks and padlocks is permitted: *Provided*, Such fabricated parts were in the possession of the producer on the 30th day of November 1943.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### TABLE I—BUTTS, HINGES AND RELATED ITEMS

Materials permitted are ferrous metals. Finishes permitted are US1B, US10A unsanded, USF, US2G, US2H and lead.

Where tips are indicated by numbers shown, such tips shall be button type only. All items listed may be made to template when required.

Federal numbers are taken from Emergency Alternate Federal Specification E-FF-H-116B.

Stanley numbers are taken from Stanley Works Catalog #61, for use as a guide. Similar products of other manufacturers will be permitted.

Bar type, in two sizes with two types of keepers, similar to R-W No. 152.



Draw type for parallel doors, similar to Allith Prouty No. 398, Catalog #101.

Reversible flush type, similar to R-W No. 520.

Swinging type, similar to Lawrence Bros. No. 122, Catalog #19.

Reversible type for light doors, similar to R-W No. 325.

#### SLIDING-FOLDING DOOR SETS

Using formed steel track for combination of from two to ten doors.

#### FOLDING PARTITION DOOR HARDWARE SETS

Using hangers at top placed in center of door and no guide track at bottom, similar to R-W No. 135.

Using door supporting rollers at bottom or top and guide track at bottom or top.

With hangers at top placed in center of doors with special operating device, either manually or electrically controlled, similar to R-W No. 405.

#### OVERHEAD DOOR HARDWARE SETS

One type of weight counterbalanced hardware, for each standard size of one piece overhead door.

One type of spring counterbalanced hardware, for each standard size of one piece overhead door.

One type of weight counterbalanced hardware in two sizes for sectional type overhead doors.

One type of spring counterbalanced hardware in two sizes for sectional type overhead doors.

#### ONE OR MORE SECTION VERTICAL LIFT DOOR SETS

One type of counterbalanced hardware for each size of door.

#### JACKKNIFE DOOR SETS

One type of counterbalanced hardware for each size of door.

#### FIRE DOOR HARDWARE

Single sliding door sets using Underwriters' standard hardware with flat or round track for metal clad or steel door, incline or level track.

Center parting sliding door sets using Underwriters' standard hardware with flat or round track for metal clad or steel doors, incline or level track.

Vertical sliding door sets, with Underwriters' standard hardware, using flat track for metal clad or steel doors.

Single swing door sets, using Underwriters' standard hardware, for metal clad or steel doors.

Double swing door sets, using Underwriters' standard hardware, for metal clad or steel doors.

Single swing shutter sets using Underwriters' standard hardware, for metal clad or steel shutters.

Double swing shutter sets, using Underwriters' standard hardware, for metal clad or steel shutters.

Trap door sets for light trap doors, using hardware for metal clad or steel doors.

Trap door sets for heavy trap doors using hardware for metal clad or steel doors.

(a) Automatic closing devices for sliding fire doors shall be confined to one type,

single fusible link, similar to R-W No. 201. If necessary to hang doors on level track, additional weights, chain and sheave may be furnished. Brass or bronze may be used for fusible link.

(b) Automatic closing devices for single swing fire doors shall be confined to one type, similar to R-W No. 406. Brass or bronze may be used for fusible link.

(c) Automatic closing devices for double swing fire doors shall be confined to one type, similar to R-W No. 506. Brass or bronze may be used for fusible link.

#### HEAVY INDUSTRIAL HINGES

Ten types similar to R-W 434-WA, B, C, CC, D, E, J, K, 1035 and 1036. All may have either disc or ball bearings.

#### TABLE VI—LOCKS AND LOCK TRIM

Materials permitted are ferrous metals, zinc, aluminum, plastics, wood, pottery and glass.

Brass may be used for cylinder assemblies and keys, for essential working parts of cylinder locks and for faces of cylinder locks.

Finishes permitted are US1B, US18, US18A unsanded, US18A sanded, US2G and lead.

Each manufacturer shall be limited to the number of designs designated under each sub-heading.

Numbers have been taken from Emergency Alternate Federal Specification E-FF-H-106.

#### DOOR KNOBS

Each manufacturer shall be limited to three designs of wrought metal knobs and three designs of cast metal knobs in sizes not to exceed 2 1/4" diameter.

Glass, plastic, pottery or wood knobs—Each manufacturer limited to three designs and/or sizes of each type, sizes not to exceed 2 1/4" diameter.

Closet spindles of not more than one design are permitted in lieu of knobs for inside of closet doors.

#### KNOB ROSES

Shall be plain design, approximate diameter 1 1/4", 2", 2 1/4". Roses for cylindrical and tubular locks and latches may be 2 1/2" in diameter. Roses may be wrought or cast.

#### KEY PLATES

Shall be limited to one type similar to Federal Number E351. Key plates may be wrought or cast.

#### ESCUTCHEON PLATES

Each manufacturer limited to three designs of rectangular or pendant types, in sizes not to exceed that necessary for the spacing of the listed locks in this table. Metal escutcheons may be wrought or cast.

#### TURN KNOBS

Each manufacturer limited to one design similar to Federal Number E362. Turn knobs may be wrought or cast.

#### LOCKS AND LATCHES

Shall be limited to the following type numbers.

##### Mortise Latches and Bit Key Locks

Type E4 Mortise bit key knob lock (light).

Type E4A Mortise bit key knob lock.

Type E7 Mortise bit key knob lock (heavy).

Type E10 Mortise bit key school room lock.

Type E17A Mortise bathroom lock.

Type E17C Communicating door lock (same as E17A except split bolt operated by turn knob each side).

Type E22A Mortise bit key front door lock.

Type E25 Mortise knob latch (light).

Type E26 Mortise knob latch.

Type E38 Mortise bit key dead lock.

Type EA40 Mortise bit key asylum dead lock.

#### Rim Locks and Latches

Commercial jobbing types. Each manufacturer shall be limited to three types. Each type may be made in three sizes. In all cases, the only permissible finish shall be japanned.

#### MORTISE CYLINDER LOCKS

Type E88 Mortise cylinder front door lock.

Type E91 Mortise cylinder vestibule or office lock.

Type E91B Special purpose lock.

Type E91C Special purpose lock.

Type E93 Mortise cylinder office lock.

(May also be supplied with two cylinder operation.)

Type E97 Mortise cylinder office lock or front door lock.

(May also be supplied without auxiliary latch function.)

Type E102 Mortise cylinder fire door lock.

Type E105 Mortise cylinder class room lock.

Type E114 Mortise cylinder dead lock.

Type E114A Mortise cylinder dead lock—no thumb turn.

Type E115 Mortise cylinder dead lock—two cylinder.

#### MORTISE ASYLUM LOCKS

The limited number of asylum locks and trim catalogued by manufacturers may be produced with only those restrictions or limitations imposed by other orders.

#### TUBULAR LOCKS AND LATCHES

Type E150 Knob latch.

Type E150A Closet knob latch.

Type E151 Knob latch with stop on one side.

Type E153 Cylinder dead bolt lock—Pin or disc tumbler cylinder.

Type E153B Cylinder dead bolt lock—Pin or disc tumbler cylinders (2).

Type E153C Cylinder dead bolt lock—No turn knob.

Type E154 Cylinder night latch—Pin or disc tumbler.

#### CYLINDRICAL CASE LOCKS AND LATCHES

Type E161 Knob latch.

Type E161A Closet knob latch.

Type E162 Knob latch (stop one side).

Type E164 Cylinder vestibule or office lock.

Type E164W Wafer tumbler vestibule or office lock.

Type E165 Cylinder office or class room lock.

#### HEAVY DUTY CYLINDRICAL LOCKS AND LATCHES

Heavy duty cylindrical locks and latches may be manufactured provided they are limited to the same performance in operation and control as that required in the comparable mortise locks permitted. Trim shall compare as nearly as possible with that permitted for mortise locks.

#### TABLE VII—MISCELLANEOUS SASH, SCREEN AND SHELF HARDWARE

Materials permitted are ferrous metals, zinc and aluminum, except where otherwise noted.

Finishes permitted are US1B, US18A unsanded, US2G, and lead, except as otherwise noted.

Federal numbers are taken from Emergency Alternate Federal Specification E-FF-H-111.

Stanley numbers are taken from Stanley Works Catalog #61, for use as a guide. Similar products of other manufacturers will be permitted.

## SHELF ITEMS

Corner braces (unfinished only) Stanley

Type No. 998:

$\frac{1}{2}$ " x  $\frac{3}{4}$ "  
 $\frac{1}{2}$ " x 1"  
 $\frac{1}{2}$ " x  $1\frac{1}{2}$ "  
 $\frac{1}{2}$ " x 2"  
 $\frac{1}{2}$ " x  $2\frac{1}{2}$ "  
 $\frac{3}{4}$ " x 1"  
 $\frac{3}{4}$ " x  $1\frac{1}{2}$ "  
 $\frac{3}{4}$ " x 2"  
 $\frac{3}{4}$ " x  $2\frac{1}{2}$ "  
 $\frac{3}{4}$ " x 3"

Flat corner irons (unfinished only) Stanley

No. 999:

$\frac{3}{8}$ " x  $1\frac{1}{2}$ "  
 $\frac{3}{8}$ " x 2"  
 $\frac{3}{8}$ " x  $2\frac{1}{2}$ "  
 $\frac{3}{4}$ " x  $3\frac{1}{2}$ "  
 $\frac{3}{4}$ " x 4"  
 $\frac{3}{4}$ " x 5"  
 $\frac{3}{4}$ " x 6"  
 $\frac{1}{2}$ " x  $2\frac{1}{2}$ "  
 $\frac{1}{2}$ " x 3"  
 $\frac{1}{2}$ " x  $3\frac{1}{2}$ "  
 $\frac{7}{8}$ " x 4"  
 $\frac{7}{8}$ " x 5"  
 $\frac{7}{8}$ " x 6"  
 $\frac{1}{2}$ " x 8"

Corner braces (unfinished only) Stanley

Type No. 997:

$\frac{1}{2}$ " x 1"  
 $\frac{1}{2}$ " x  $1\frac{1}{2}$ "  
 $\frac{5}{8}$ " x 2"  
 $\frac{5}{8}$ " x  $2\frac{1}{2}$ "  
 $\frac{3}{4}$ " x 3"  
 $\frac{3}{4}$ " x  $3\frac{1}{2}$ "  
 $\frac{7}{8}$ " x 4"  
 $\frac{1}{2}$ " x 5"  
 $\frac{1}{2}$ " x 6"  
 $\frac{1}{2}$ " x 8"

Outside corner irons (unfinished only)

Stanley Type No. 996:

$\frac{3}{4}$ " x  $4\frac{1}{2}$ "  
 $\frac{7}{8}$ " x  $4\frac{1}{2}$ "  
 $\frac{1}{2}$ " x  $4\frac{1}{2}$ "  
 $\frac{1}{2}$ " x  $4\frac{1}{2}$ "  
 $\frac{1}{2}$ " x  $4\frac{1}{2}$ "

T plates (unfinished only) Stanley Type

No. 995½:

$2\frac{1}{2}$ " x  $2\frac{1}{2}$ "  
3" x 3"  
4" x 4"  
5" x 5"  
6" x 6"

Mending plates (unfinished only) Stanley

Type No. 995:

$\frac{5}{8}$ " x 2"  
 $\frac{5}{8}$ " x  $2\frac{1}{2}$ "  
 $\frac{3}{4}$ " x 3"  
 $\frac{3}{4}$ " x  $3\frac{1}{2}$ "  
 $\frac{7}{8}$ " x 4"  
1" x 5"  
 $1\frac{1}{8}$ " x 6"  
 $1\frac{1}{4}$ " x 8"  
 $1\frac{1}{4}$ " x 10"  
 $1\frac{1}{4}$ " x 12"

Hook on plate staples (unfinished only)

Stanley Type No. 975: 4", 5", 6".

Twisted hook and staple (unfinished only)

Stanley Type No. 972: 4", 5", 6".

Diamond point staples (unfinished only)

Stanley Type No. 976: 1",  $1\frac{1}{4}$ ",  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ".Heavy hinge hasp Stanley No. 941:  $7\frac{1}{2}$ " (one size only).

Safety hinge hasp Stanley No. 925: 3", 4",

Hinge hasp Federal No. E1401: 3",  $4\frac{1}{2}$ ", 6", 8".Safety hinge hasp Federal No. E1420:  $2\frac{1}{2}$ ",  $3\frac{1}{2}$ ",  $4\frac{1}{2}$ ", 6".Staples on plates Stanley No. 913:  $1\frac{1}{2}$ " x  $1\frac{1}{8}$ ", 2" x  $1\frac{1}{4}$ ",  $2\frac{1}{16}$ " x  $1\frac{1}{2}$ ".Hooks and eyes Federal No. E1601:  $1\frac{1}{2}$ ", 2",  $2\frac{1}{2}$ ", 3", 4".Door buttons Federal No. E1069: (Cast or wrought)  $1\frac{1}{4}$ ".

Door fasteners with chain (cast or wrought)

Federal No. E1116: 4".

Thaum latches, Federal No. E1163, Federal No. E1169.

House numbers (non-metallic only).

Shutter fasteners, Federal No. E1815—5".

Padlock eyes, Federal No. E1430.

Cellar window catch, Federal No. E1137.

Hand rail bracket, Federal No. 1061A.

Door stops (non-metallic only).

Hat and coat hooks: Federal No. A1162 (FF-H-111)—Steel wire.

Federal No. 1162B (FF-H-111)—Cast or malleable iron, for chipboard use only.

Letter boxes (may be manufactured of aluminum or cast iron).

## DOORS

Fed. No.		
E1019	Wrought steel barrel bolt	2", 2½", 3", 4" and 5"
E1020	Cast iron barrel bolt	2", 2½", 3", 4" and 5"
E1022	Chain bolt	2", 3", 4", 5" and 6"
E1049	Wrought steel fast bolt	2", 3", 4", 5" and 6"
E1049C	Cast iron fast bolt	2", 3", 4", 5" and 6"
E1041B	Extension lever flush bolts	2", 3", 4", 5" and 6"
E1031	Cane bolt	2", 3", 4", 5" and 6"
E1031A	Cane bolt	2", 3", 4", 5" and 6"
E1031A	Mortise bolt	2", 3", 4", 5" and 6"
E1039	Wrought steel square bolt	2", 3", 4", 5" and 6"
E1039C	Cast iron square bolt	2", 3", 4", 5" and 6"
E1039	Surface bolt	2", 3", 4", 5" and 6"
E1039	Cremone bolts	(Not permitted for residential or private garage use).

## DOUBLE HUNG WINDOW HARDWARE

Federal No.:

EA1060— $3\frac{1}{4}$ "—Window spring bolt. Friction sliding springs similar in operation to Jiffy, Nokeless, etc.E1139 Sash fasteners— $2\frac{1}{2}$ " and  $2\frac{3}{4}$ ".E1142 Sash fasteners— $2\frac{1}{2}$ ".

E1201 Hook cash lift (cast or wrought).

E1343 Stop head screw and washer.

E1264 Sash pole hook—3".

Sash socket as H. B. Ives 1800S, Catalog #17.

Sashcord saddle—non-metallic.

E1264 Sash weights (only from burnt cast iron, stove-plate, grate bars, annealing pots, ternoplate, slag iron, city dump scrap except tin can scrap; tin can scrap if permission is granted by Administrator of E-72A).

Sash balances permitted—see Table XII.

## TRANSOM HARDWARE

Federal No.:

E1097 Transom catch.

E1100 Transom catch.

E1120A Transom chains—12", 15".

Rabbeted transom cash centers, similar to Sargent Co. J71-1½", 1¾", 2¼".

Sash centers, cast, similar to Corbin 1303, 1304.

## DOOR PULLS

Federal No.:

E1274 Door pull.

E1274D Door pull.

E1276 Door pull.

Hospital arm pull, similar to Sargent 1520.

Push plates—non-metallic.

Kick plates—non-metallic.

## SCREEN DOOR HARDWARE

Screen door latch—Limited to one type in one size for each manufacturer. Trim may be ferrous metals, glass or plastic.

Federal No.:

E1845 Perfection springs—#2 to #6 inclusive.

E1840 Coil spring.

E2300 Screen door hinge (full surface) one size only.

E2301 Spring hinge (full surface) one size only.

E2302 Spring hinge (half surface) one size only.

E2305 Spring hinge (full surface) one size only.

E2306 Spring hinge (half surface) one size only.

E3015 Pneumatic door closer.

## SCREEN WINDOW AND STORM SASH HARDWARE

Federal No.:

E1625 Hangers.

E1625B Hangers.

E1630 Hangers.

Hanger sets, similar to Stanley #1732.

EA1223 Screen lift.

E1650 Storm sash fasteners.

E1653 Storm sash fasteners.

## CASEMENT WINDOW HARDWARE

Federal No.:

E1002 Casement adjuster—10" and 12".

E1092D Casement adjuster—12".

Friction stay, similar to Payson #39.

E1128 Casement pivot.

E1132 Casement fastener.

E1132A Casement fastener.

Hardware for industrial type sash (not to exceed 2½ lbs. per unit).

## TABLE VIII—RIM NIGHT LATCHES AND DEADLOCKS

Materials permitted are ferrous metals, zinc and aluminum. Brass may be used for cylinder assemblies and keys, and essential working parts.

Finishes permitted are US1B and US18A uncoated.

All flat strikes shall be eliminated except when ordered separately. Numbers are taken from emergency alternate specification E-FF-H-106.

Federal No.:

E134 Cylinder rim night latch.

E134D Cylinder rim night latch (disc tumbler).

E136 Cylinder rim night latch.

E143 Cylinder rim dead lock.

One catalog number jimmy-resistant deadlocks without chain attachment, with rim strike only.

One catalog number jimmy-resistant deadlocks with double cylinder, with rim strike only.

## TABLE IX—SPRING HINGES

Materials permitted are ferrous metals, zinc and aluminum.

Finishes permitted are US1B, US18A uncoated, USP and US2G.

Numbers are taken from Emergency Alternate Federal Specification E-FF-H-116B.

## Federal No.:

- E2330 Double acting, hanging strip or flush jamb type.  
 Sizes 3", 4", 6", 7", 8", 10".  
 Type with one clamp flange in sizes 8", 10", and 12".
- E2331 Single acting, hanging strip or flush jamb type.  
 Sizes 4", 6", 7", 8", 10".
- E2334 Double acting floor hinge, horizontal or vertical type.

## TABLE X—LAVATORY DOOR HARDWARE AND LAVATORY STALL FITTINGS

Materials permitted are ferrous metals, zinc and aluminum.

Finishes permitted are US1B, US18A unsanded, USP and US2G.

Federal numbers are taken from Emergency Alternate Federal Specification E-FF-H-136.

## Federal No.:

- E4200 Gravity pivot hinge.
- E4301 Swing latch (bar not more than 4" long).
- E4309 Rim turn bolt.  
 Strikes and keepers similar to Bommer O-1053-1055-1056-1057 and 1073.

## LAVATORY STALL FITTINGS

Numbers listed are taken from Catalog #63 of Bommer Spring Hinge Company for use as a guide for comparable items of all manufacturers.

1116	1153
1130	1155
1131	1156
1132	1158
1137	1159
1138	1160
1139	1161
1142	1162
1143	1163
1147—1 1/4" only	1170
1150	1171
1151	1172
1152	1173

## TABLE XI—PANIC BOLTS

Materials permitted are ferrous metals, zinc and aluminum.

Finishes permitted are US1B, US18A unsanded and US18A sanded.

Brass may be used for cylinder assemblies and keys and for essential working parts, not including cross bars, vertical rods, guides, and top and bottom latches.

Each manufacturer shall be limited to three designs in trim.

Numbers are taken from Emergency Alternate Federal Specification E-FF-H-106.

## Federal No.:

- E300  
 E301  
 E330  
 E330C  
 E331  
 E331C

Lock may be either rim or mortise type.

## TABLE XII—SASH BALANCES

Materials permitted are ferrous metals, zinc and aluminum.

Zinc may be used where permitted by Conservation Order M-11-b.

Finishes permitted are US2G, US2H, USP, lead and lacquer.

Numbers are taken from Emergency Alternate Federal Specification E-FF-H-111.

## Federal No.:

- E1250  
 E1250A  
 E1250

## TABLE XIII—CABINET LOCKS

Materials permitted are ferrous metals, zinc and aluminum.

Brass may be used for cylinder assemblies and keys, and for essential working parts.

Finishes permitted are US1B, US18, US18A unsanded, US18A sanded, US2G and lead.

Chest locks, flat key, secure lever. Each manufacturer limited to two designs, approximately 1 1/2" x 2" for 3/4" wood, 1 3/4" x 2 1/2" for 7/8" wood.

Chest locks, double link, warded, barrel key. Each manufacturer limited to one design, approximately 2 1/2" x 1 1/8".

Chest locks, double link, pin or disc tumbler. Each manufacturer limited to one design.

Drawer locks, flat key, half mortise, secure lever, dead bolt. Each manufacturer limited to one design, approximately 1 1/4" x 1 7/8".

Drawer locks, barrel key, half mortise, warded. Each manufacturer limited to one design, approximately 2 1/2" x 1 3/4".

Drawer or cupboard locks, half mortise type, pin and disc tumbler. Each manufacturer limited to one design of each.

Drawer locks, surface type, flat key secure lever. Each manufacturer limited to two designs, approximate sizes 1 3/4" x 1 1/4", 1 3/4" x 1 3/8".

Drawer or cupboard locks, half mortise, pin or disc tumbler. Each manufacturer limited to one design.

Locker and wardrobe locks, surface type, flat key, secure lever. Each manufacturer limited to four designs, approximately 1 7/8" x 7/8", 2" x 1 3/4", 2 3/4" x 1 1/4", 2 5/8" x 1 3/4".

Locker and wardrobe locks, surface type, barrel key. Each manufacturer limited to two designs, approximately 2 1/2" x 1 1/4", 3" x 1 3/4".

Locker and wardrobe locks, surface type, pin or disc tumbler. Each manufacturer limited to one design, approximately 1 7/8" x 1 1/4" with 7/8" or 1 1/8" cylinder.

Cam type locks, pin, disc or blade tumbler. (Complete unit consisting of cylinder, lock nut, lock nut washer and cam.) Each manufacturer limited to not more than two tumbler types.

## TABLE XIV—PADLOCKS

Materials permitted are ferrous metals, zinc and brass.

Brass may only be used for cylinders and keys, and locking bolts.

Finishes permitted are US18, US18A unsanded, US18A sanded, US2G and painted.

Each manufacturer shall be limited to the types and number of each type specified below, and they must come within the size range specified:

Pin tumbler padlocks—six only. Size range, 1 1/8" to 2".

Warded or lever padlocks—five only. Size range, 1" to 1 3/4".

Spring bolt padlocks—five only. Size range, 5/8" to 2".

Disc tumbler padlocks—five only. Size range, 1" to 2".

Secure lever padlocks—two styles in two sizes of each style.

Hose house padlocks—one style in one size.

Combination padlocks—two styles in one size of each style.

Ratchet shackle padlocks—one style in one size.

Special shackle padlocks may be furnished on order.

Chains may be furnished on order.

## TABLE XV—DOOR HOLDING DEVICES

Materials permitted are ferrous metals, zinc and aluminum.

Finishes permitted are USP, US18A unsanded, US1B and lead.

Numbers prefixed by G-J are taken from the catalog of Glynn-Johnson Co. (Issued January 1941). Similar products of any other manufacturer will be permitted.

G-J 320 Friction door holder—not exceeding 1 3/4 lbs. average weight (in sizes required for various size doors in hospitals only).

G-J 70 Door holder—not exceeding 2 1/4 lbs. average weight.

G-J 40 Door holder—not exceeding 22 oz. in weight (with strikes suitable for floor or head installation).

Roller holder—Stanley No. 454 [ferrous metal only] Stanley Works catalogue No. 61. Similar item of other manufacturers will be permitted.

[F. R. Doc. 44-14066; Filed, Sept. 12, 1944; 11:38 a. m.]

## PART 3284—BUILDING MATERIALS

[Limitation Order L-236, Schedule II, as Amended Sept. 12, 1944]

## MARINE JOINER HARDWARE

§ 3284.83 Schedule II to Limitation Order L-236—(a) Definitions. For the purpose of this schedule:

(1) "Producer" means any person who manufactures, fabricates, assembles, melts, casts, extrudes, rolls, turns, spins, finishes, or otherwise processes Marine Joiner Hardware.

(2) "Marine joiner hardware" means locks; latches; door and cabinet trim including escutcheons, bolts, hooks, knobs, levers, tee handles, roses and turn pieces; butts and hinges; spring and floor hinges; door bumpers, closers and holders; dutch door sets; and miscellaneous hardware; as listed in Tables I through V of this Schedule, designed and constructed for marine use.

(3) "Marine use" means use on any commercial tugboat, cargo, combat, commercial fishing, passenger, transport ship or vessel.

(4) "Magnetic circle" means an area having the ship's compass as its center, and within which the presence of marine joiner hardware containing ferrous metal might influence the operation of the compass.

(5) "Secondary brass" means a copper base alloy in the composition of which the percentage of copper does not exceed 74 per cent and the percentage of tin does not exceed 2 per cent of the total weight of the alloy.

(b) Simplified practices. Pursuant to Limitation Order L-236, after July 10, 1944, no producer shall produce marine joiner hardware listed in this schedule which fails to conform with the permitted materials, finishes, sizes, types, grades and provisions set forth in Tables I through V and elsewhere in this schedule.

(c) Restrictions affecting pleasure boats. No producer shall produce any marine joiner hardware designed for use on pleasure boats.

(d) Exceptions. The provisions of this schedule do not apply to:

(1) Parts produced for the purpose of repair of marine joiner hardware.

(2) Marine joiner hardware produced from material or parts in the possession

of the producer on or before the 28th day of August, 1943.

(3) Marine joiner hardware produced to fill a contract of the Army, Navy, Maritime Commission or War Shipping Administration, when such contract for marine joiner hardware has been executed prior to August 28, 1943.

(4) Mortise locks and butts produced for installation as a replacement of locks and butts produced prior to August 28, 1943, when the sizes and types permitted by this schedule will not fit the original mortise.

(e) *Exceptions from limitations of Table I of this schedule.* Notwithstanding the restrictions established in Table I of this schedule, marine joiner hardware may be furnished in non-ferrous metal:

(1) Where its installation is within the magnetic circle; or

(2) For application on exterior parts of a ship or vessel; or

(3) Where the use of non-sparking metal is necessary to prevent a hazard in the use or storage of explosive or inflammable materials.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

TABLE I—MATERIALS AND FINISHES PERMITTED

(Subject to permissible exceptions in (e) of this schedule)

The following items of marine joiner hardware shall be made only from the materials specified opposite each of them.

Butts and hinges—Steel with brass pin.  
Cabinet locks—Brass.  
Cupboard turns and catches—Brass.  
Cylinder keys—Brass or zinc.  
Door closers—Cast iron or die cast zinc base alloy body, malleable iron or steel arms.  
Door bumpers—Ferrous metal with felt, cork or scrap rubber tips. (When equipped with anti-rattle or swivel hook, the hook and eye may be secondary brass.)  
Key tags—Fibre, plastics, zinc, brass or aluminum.  
Lock cylinders—Brass.  
Lock springs—Phosphor bronze.  
Name plates—Cast iron, plastics, zinc, aluminum or porcelain enamel on steel.  
Padlocks—Brass or zinc base alloy.  
Spindles—Steel (when spindle is cast as integral part of a knob or ring handle it may be of the same material as the knob or ring).  
Wardrobe and stateroom hooks—Ferrous metal or plastics.

Items of marine joiner hardware not listed above shall be made of ferrous metal, secondary brass, zinc base alloy, zinc, plastics or aluminum.

Items made of brass or secondary brass shall not be polished finer than with #120 wheel and shall not be buffed.

Items made of ferrous metal may be furnished galvanized or zinc coated.

Items made of aluminum shall be manufactured for use only as permitted under the terms of Order M-1-I; and shall be wherever practicable of low grade aluminum.

TABLE II—LOCKS AND LATCHES

Each manufacturer shall be limited in production to the number of types and sizes indicated for each lock or latch described functionally in this table, except locks required

for metal doors which may be made in sizes according to templates established prior to August 28, 1943.

Locks and latches keyed alike shall be furnished with not more than one key per lock or latch. Other locks and latches shall be furnished with not more than two keys per lock or latch. Only six master keys may be furnished with each group of locks or latches when required to be master keyed.

Cylindrical locks and latches with comparable functions may be substituted for mortise locks and latches described hereinafter.

Locks and latches may be equipped with either swing or slide latch bolts.

Handles may be substituted for knobs when necessary on locks and latches.

1. Mortise cylinder lock: (1 type, 2 sizes).

Operation—Latch bolt by knob from either side, dead bolt by key from outside and by turn piece from inside.

1A. Same as No. 1 with two cylinders.

Operation—Dead bolt by key only from either side.

2. Mortise cylinder lock, panic proof: (1 type, 2 sizes).

Construction—Latch bolt only.

Operation—Latch bolt by key from outside and by knob at all times from inside. Inside turn piece dead locks latch bolt but it is automatically released when inside knob is operated. Outside knob always rigid.

3. Mortise cylinder lock, panic proof: (1 type, 2 sizes).

Construction—Latch bolt and dead bolt.

Operation—Latch bolt and dead bolt by key from outside and by knob at all times from inside. Inside turn piece throws dead bolt but latch bolt and dead bolt are automatically released when inside knob is operated. Outside knob always rigid.

4. Mortise cylinder lock: (1 type, 2 sizes).

Latch—Swing or anti-friction.

Auxiliary latch—Swing or slide.

Operation—Latch bolt by knobs from either side except when outside knob is made rigid by stops in face then by key from outside. Inside knob always operative. Auxiliary latch dead locks latch bolt.

4A. Same as No. 4 with  $\frac{3}{4}$ " throw of latch bolt (for fire doors).

5. Mortise cylinder lock: (1 type, 1 size).

Latch bolt— $\frac{3}{4}$ " throw (for fire doors).

Operation—Latch bolt by knob from either side. Dead bolt by key from outside. Inside turn piece throws dead bolt but latch bolt and dead bolt are automatically released when inside knob is operated.

6. Mortise cylinder dead lock: (1 type, 1 size).

Operation—By key only from outside and by turn piece from inside.

6A. Same as No. 6 with two cylinders.

Operation—By key only from either side.

7. Rim cylinder lock: (1 type, 1 size).

Operation—Latch bolt by knob from either side at all times. Dead bolt by key from outside and by turn piece from inside.

8. Bit key mortise lock: (1 type, 3 sizes).

Operation—Latch bolt by knob from either side. Dead bolt by key from either side.

9. Bit key rim lock: (1 type, 2 sizes).

Operation—Latch bolt by knob from either side. Dead bolt by key from either side.

10. Rim cylinder lock for metal or wood doors: (1 type, 2 sizes).

Operation—Latch bolt by knob from either side. Dead bolt by key from outside and by turn piece from inside.

11. Bit key rim lock for metal or wood doors: (1 type, 2 sizes).

Operation—Latch bolt by knob from either side. Dead bolt by key from outside and by turn piece or key from inside.

12. Mortise communicating door lock: (1 type, 1 size).

Operation—Latch bolt by knob from either side. Split dead bolt by turn piece from either side.

13. Mortise bathroom lock: (1 type, 1 size).

Operation—Latch bolt by knob from either side. Dead bolt by turn piece from inside and emergency key from outside.

14. Rim bathroom lock: (1 type, 1 size).

Operation—Latch bolt by knob from either side. Dead bolt by turn piece from inside and emergency key from outside.

15. Mortise bathroom latch, panic proof: (1 type, 1 size).

Operation—Latch bolt by knob from either side except when outside knob is dead locked by inside turn piece. When turn piece has been thrown operation of inside knob automatically releases latch bolt. Access by emergency key from outside.

16. Bit key narrow rim lock: (1 type, 1 size).

Size of case—approximately  $4\frac{1}{4}$ " by 2".

Operation—Latch bolt by knob from either side. Dead bolt by key from either side.

17. Mortise knob latch: (1 type, 1 size).

Operation—Latch bolt by knob from either side.

18. Rim knob latch for metal or wood doors: (2 types, 1 size each).

Operation—Latch bolt by knob from either side.

19. Mortise screen door latch: (1 type, 1 size).

Operation—Latch bolt by knob from either side.

20. Rim screen door latch: (1 type, 1 size).

Operation—Latch bolt by knob from either side.

21. Rim screen door latch: (1 type, 1 size).

Operation—Latch bolt by knob from either side. Auxiliary slide stop on inside.

22. Rim closet latch: (1 type, 1 size).

Operation—Latch bolt by knob from either side or by knob outside and turn piece inside. Latch bolt can be set by outside key.

23. Rim wardrobe latch: (1 type, 1 size).

Operation—Latch bolt by knob from outside only.

24. Half-mortise cupboard latch: (1 type, 1 size).

Operation—Latch bolt by knob from outside only.

25. Rim toilet door latch: (1 type, 1 size).

Operation—Latch bolt by knob from either side. Latch bolt can be dead locked by thumb piece on inside.

26. Mortise cylinder night latch: (1 type, 1 size).

Operation—By key from outside and by knob from inside. Latch bolt can be held retracted by step in face.

27. Rim cylinder night latch: (1 type, 1 size).

Operation—By key from outside and by turn knob from inside. Stop can be set to hold latch retracted.

28. Rim cylinder dead lock: (1 type, 1 size).

Operation—By key from outside and by turn knob from inside. Stop can be set to hold bolt retracted.

29. Mortise cylinder sliding door lock: (1 type, 1 size).

Operation—Latch bolt by knobs or by vertical lever handles except when locked by key from either side.

- 29A. Same as No. 29 except locked with a bit key.
30. Mortise sliding door latch: (1 type, 1 size).  
Operation—Latch bolt by knobs or by vertical lever handles at all times.

TABLE III—DOOR, CABINET AND LOCK TRIM

1. Key plates, escutcheons and roses:  
Key plates, approximate size  $1\frac{3}{4}'' \times 1\frac{1}{4}''$ .  
Lock escutcheons, approximate size  $8'' \times 2\frac{1}{4}''$ .  
Screen door escutcheons, approximate size  $4'' \times 1\frac{3}{8}''$ .  
Knob roses, approximate size 2" diameter.  
(Knob roses for cylindrical locks may be approximately  $2\frac{1}{2}''$  diameter).
2. Knobs:  
Door knobs shall be ellipsoid or round types. Ellipsoid type shall be approximately  $2\frac{1}{2}'' \times 1\frac{3}{4}''$ . Round type shall be approximately  $2\frac{1}{4}''$  diameter.  
Knobs and levers for screen door sets. Knobs shall be approximately  $1\frac{3}{4}''$ .  
Levers shall be approximately 2".  
Knobs and closet spindles for wardrobe sets. Knobs may be ellipsoid or round with closet spindle to suit thickness of door.
3. Tee and lever handles.  
Each manufacturer limited to two sizes of each.
4. Turn pieces.  
Shall have oval plates approximately  $1\frac{3}{4}'' \times 1\frac{1}{4}''$  with crescent or ellipsoid turns.
5. Vertical lever handles and quadrants.  
(For sliding door locks.)  
Lever handles shall be approximately  $5\frac{1}{4}'' \times 2\frac{1}{4}''$ .
6. Cabin door hooks—Navy Specification 42-H-5c, limited to sizes  $2\frac{1}{2}''$ ,  $3\frac{1}{2}''$ , 4", 5", 6" and 8".
7. Ajar hooks—Same as No. 6, furnished with two eyes.
8. Square bolts—4", 6".  
Square neck bolts—3" 4".  
Barrel bolts—Federal type E-1019—2",  $2\frac{1}{2}''$ , 3", 4" and 5".
9. Lavatory throw bolts.  
Approximate size  $2\frac{1}{2}'' \times \frac{3}{4}''$ —Bar  $3\frac{3}{8}''$ .
10. Lavatory door pivots.  
Similar to Russwin-Newton type.
11. Dutch door sets.  
Set to consist of not more than two stay arms approximately 11" long, one pair  $2'' \times 2''$  tight pin butts and two only friction catches approximately  $\frac{3}{4}'' \times \frac{3}{8}''$ .
12. Door closers and brackets.  
Door closers shall be surface type—Federal E-3004 or E-3005.  
Brackets shall be corner or soffit types.
13. Door pulls.  
Federal type E-1274.
14. Cupboard turns.  
Federal type 1082.
15. Grab rail brackets.  
Similar to #93 and #94 as shown in Sargent & Company's Catalog #43.

TABLE IV—BUTTS, HINGES, HASPS AND SPRING HINGES

Butts shall be limited to the types and sizes permitted in Table I of Schedule I of L-236 and to the types and sizes listed in Navy specification 42H34e, with the addition of the following sizes: 3 x  $2\frac{3}{4}''$ , 4 x 3, 5 x 4, 5 x 5 and  $5\frac{1}{2} \times 4\frac{1}{2}''$ .

Strap hinges, T-hinges, cabinet hinges, and hasps shall be limited to the types and sizes permitted in Tables I, III and VII of Schedule I of L-236.

Floor hinges shall be limited to the types and sizes permitted in Table II of Schedule I of L-236.

Spring hinges shall be limited to the types and sizes permitted in Tables VII and IX of

Schedule I of L-236, with the addition of the following:

- 3 x 2 half surface cabinet spring hinge.  
4" half surface spring hinge (similar to Bommer Spring Hinge Co.'s #10001).

TABLE V—MISCELLANEOUS

1. Name plates—Limited to one design for each manufacturer. Approximate width 1", length as required by lettering.
2. Sash anti-rattlers—Limited to one size and type for each manufacturer.
3. Side sash fasteners—Limited to one size and type for each manufacturer. May be furnished with single or continuous strikes.
4. Key tags, rings and links—Key tags may be oval (approximately  $\frac{3}{4}'' \times 2\frac{1}{4}''$ ), or round (approximately  $1\frac{1}{8}''$  dia.).
5. Wardrobe and stateroom hooks—Two or three prong type, base approximately  $1\frac{3}{4}'' \times 1\frac{1}{8}''$ , projection not over  $3\frac{1}{2}''$ .
6. Cabinet locks—Types and sizes limited to those permitted in Table XIII of Schedule I of L-236 and to those listed in Navy specifications 42L13 (INT), 42L14 (INT) and 42L4 (INT). Cabinet locks keyed alike shall be furnished with not more than one key for each lock.
7. Padlocks—Types and sizes limited to those permitted in Table XIV of Schedule I of L-236. Padlocks keyed alike shall be furnished with not more than one key for each lock.
8. Door bumpers (Floor type)—Each manufacturer limited to one style and size with anti-rattle hook and one style and size without anti-rattle hook.
- (9) (a) Door bumpers (wall type) heavy weight—Each manufacturer limited to one style with anti-rattle hook and one style without anti-rattle hook. Projection not to exceed 5".
- (b) Door bumpers (wall type) light weight—Each manufacturer limited to one style with anti-rattle hook and one style without anti-rattle hook. Projection not to exceed 5".

## INTERPRETATION 1: Revoked July 10, 1944.

[F. R. Doc. 44-14064; Filed, Sept. 12, 1944; 11:38 a. m.]

## PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-158, as Amended Sept. 12, 1944]

## PRODUCTION OF REPLACEMENT PARTS FOR MOTOR VEHICLES

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of chromium, copper, nickel, and other materials required for the production of replacement parts for light, medium and heavy motor trucks, truck trailers, passenger carriers, off-the-highway motor vehicles, motorized fire equipment and passenger automobiles for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3292.46 *Limitation Order L-158—(a) Definitions.* For the purpose of this order:

(1) "Replacement parts" for light, medium and heavy motor trucks, truck trailers, passenger carriers, off-the-high-

way motor vehicles, motorized fire equipment and passenger automobiles, means only the parts and assemblies listed on Schedules I and II to this order, and the components entering into such items, produced for use in the repair, maintenance or improvement of these vehicles. Schedules I and II may be amended from time to time.

(2) "Component" means any of the integral pieces or parts of the items listed on Schedules I or II. Components include products of types which, while used in automotive parts, are not so used exclusively. Parts which have no functional duty in the operation of the vehicle or are only ornamental or decorative are not considered components of the authorized parts and may not be produced.

(3) "Rebuilt or reconditioned parts" means any replacement parts listed in Schedules I or II which have been used and restored for use through rebuilding or reconditioning operations.

(4) "Parts consumed in use" means those parts whose function in the operation of the vehicle results in a dissipation or deterioration of material, either in whole or in part, so that the residue has little or no salvage value.

(5) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(6) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis thereof.

(7) "Medium and heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis thereof.

(8) "Truck trailer" means a complete semi-trailer or full trailer designed for transportation of property or persons, or the chassis thereof.

(9) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(10) "Off-the-highway motor vehicle" means a motor truck, truck tractor or trailer operating off the public highway, normally on rubber tires, and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects, or the chassis thereof.

(11) "Motorized fire equipment" means the chassis of a passenger automobile, light, medium or heavy motor truck, truck-tractor or trailer, used for the transportation of fire-fighting personnel or equipment.

(12) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of replacement parts, as defined in paragraph (a) (1) above.

(13) "Supplier" means a person who supplies a producer with materials or the component parts for the production or assembly of replacement parts.



(14) "Distributor" means any person not a producer or supplier whose business consists, in whole or in part, of the sale of replacement parts, as defined in paragraph (a) (1) above, from inventory. Distributor includes wholesalers, jobbers, dealers, retailers and other persons performing a similar function including garages and service stations.

(15) "Consumer" means the owner or operator of the automotive vehicle for which replacement parts are required, or the user of such replacement parts for any other purpose, not including the Army or Navy of the United States, the United States Maritime Commission, and other agencies listed in paragraph (p) (1) below.

(16) "Inventory" means a stock of new replacement parts held by a distributor for his own account. Inventory does not include any "as is", rebuilt, reconditioned or reconditionable parts, and does not include Army surplus stocks of replacement parts purchased from the Procurement Division of the Treasury Department.

#### Provisions Relating to Production

(b) *Preference ratings of AA-1 assigned for truck and bus parts and AA-2X for passenger car and light truck parts.* A preference rating of AA-1 is assigned to producers of replacement parts and to manufacturers of the components of such parts, enumerated in Schedules I and II to this order, except those parts and components for light trucks and passenger automobiles for the production of which a preference rating of AA-2X is hereby assigned.

(c) *Special provisions for production of replacement parts and components.* Priorities and CMP Regulations may be disregarded in applying the provisions of the following subparagraphs (1) and (2). This exemption, however, does not apply where the production authorized by these subparagraphs will interfere with any "frozen" schedule of Component Consumption Requirements issued under Order L-1-e or any other "frozen" schedule, as defined in Priorities Regulation No. 18.

(1) *Parts producers.* To provide for the production of automotive replacement parts to maintain civilian automotive transportation, each producer of automotive parts for original equipment and for replacement use is authorized to use in any month for the production of those automotive replacement parts on Schedule I up to five per cent (5%) of his total productive man or machine hours, or both, which were devoted during the preceding month to the production of automotive parts for original equipment and replacement use.

(2) *Other manufacturers.* Each manufacturer of the components of the automotive replacement parts on the list designated Schedule I is authorized to use in any month for the production of such components up to five per cent (5%) of his total productive man or machine hours, or both, which were devoted during the preceding month to the production of automotive type components. Each manufacturer of automotive type

components is authorized to ship each month against orders from producers of automotive replacement parts up to five per cent (5%) of his total monthly production of such components.

(3) *Basis for calculation.* The calculation in respect to productive man or machine hours or both may be made on the basis of a calendar month or any successive period of one month, beginning at any time.

(4) *Notice of prospective interference with military orders.* Paragraphs (c) (1) and (2) shall not be applied by any producer of replacement parts or manufacturer of components for such parts in such a way as to interfere with the production of orders of the Army or Navy of the United States. Where interference with Army or Navy orders prevents or will prevent the producer of parts or the manufacturer of components from applying subparagraphs (1) and (2) above, the producer or manufacturer shall immediately notify the Automotive Division, War Production Board, in order that adjustments may be at once considered.

(5) *Parts actually critical to be produced.* The purpose of paragraphs (c) (1) and (2) is primarily to secure more critical replacement parts for civilian use, as enumerated on Schedule I. Production should be made of those Schedule I parts which are critical, against back orders where they exist. It is not the purpose of subparagraphs (1) and (2) to limit the use of facilities for production of parts or components to five per cent (5%) where additional facilities are available for this production.

(d) *Correction of critical shortages.* Whenever the War Production Board determines that a critical shortage exists in respect to replacement parts, the Board may order any producer or supplier to schedule and deliver his production in such manner as will relieve the shortage; and in addition, may direct any producer or distributor to deliver or sell to any other person, at regularly established prices and terms, such quantities of replacement parts available for civilian distribution as the War Production Board may determine.

(e) *Production restricted to listed replacement parts.* (1) No person shall manufacture any parts for use in the repair, maintenance or improvement of light, medium and heavy trucks, trailers, passenger carriers, off-the-highway motor vehicles, motorized fire equipment or passenger automobiles, except the items, and their components, on Schedule I and Schedule II to this order, as the same may be amended from time to time. See, however, paragraph (r) (1).

(2) In the production of such parts no materials shall be used which are prohibited by any orders, regulations or other restrictions on the use of critical materials now or hereafter issued by the War Production Board.

#### Standardization and Simplification Provisions

(f) *Pistons and bearings.* Producers shall make replacement pistons, piston pins, piston rings and engine bearings as

components of engines, only according to the following standards:

(1) Pistons as components of engines only in standard sizes and the following oversizes: .005, .020, .030, .040, .060, and semi-finished.

(2) Piston pins as components of engines only in standard sizes and the following oversizes: .003, .005, .010.

(3) Piston rings as components of engines only in standard sizes and the following oversizes: .020, .030, .040, .060; and in addition, for medium and heavy trucks and busses, .020, .100.

(4) Engine bearings as components of engines only in standard sizes and the following undersizes: .002, .010, .020, .030, .040, .060, .090 and semi-finished. In addition, connecting rod bearings with oversize outside diameter, and the "special length Ford main bearings."

#### Provisions Relating to Distributors' Inventories

(g) *Restrictions on distributors' inventories.* (1) No distributor of replacement parts whose place of business is located in the eastern or central war-time zone shall accept delivery of new replacement parts which, in combination with his existing inventory of new replacement parts, measured in total dollar cost value, will exceed a sixty-day (60) supply. Sixty-day supply means a supply in dollar cost value equal to the distributor's total sales, at his cost, of such new parts in the preceding two months period.

(2) No distributor of replacement parts whose place of business is located in any other war-time zone shall accept delivery of new replacement parts which, in combination with his existing inventory of new replacement parts, measured in total dollar cost value, will exceed a ninety-day (90) supply. Ninety-day supply means a supply in dollar cost value equal to the distributor's total sales, at his cost, of such new parts in the preceding three months period.

(3) Irrespective of the restrictions in subparagraphs (1) and (2) above, a distributor may accept delivery of specific items of replacement parts even though his inventory then exceeds, or will by reason of such acceptance exceed, his maximum permissible inventory as specified in subparagraphs (1) and (2) above. The quantity of such specific items in dollar cost value shall not exceed the dollar cost value of his sales of such items during the preceding thirty days or the last thirty-day period in which a sale was made if the distributor is located in the eastern or central war time zones, and forty-five days in all other zones.

(h) *Initial inventory for new distributors.* Notwithstanding the restrictions of paragraph (g) above, any person may establish an initial inventory of replacement parts not to exceed one thousand (\$1,000) dollars at dollar cost value for the purpose of selling replacement parts as a distributor.

(i) *Return of new replacement parts.* New replacement parts, returned by a distributor to another distributor, if not included in the inventory of the person receiving the parts during the calendar

quarter in which received, shall be included in his inventory in the next succeeding calendar quarter.

(j) *Disposition of traded-in used parts.* No distributor may keep in his inventory, in his possession or under his control any used replacement parts which have been traded in and cannot be reconditioned, for a period of more than thirty (30) days after they have been determined to be unserviceable, but he must dispose of them through customary disposal or scrap channels. Traded-in parts which can be reconditioned must be reconditioned, or returned to be reconditioned, as quickly as minimum quantities will permit.

*Provisions Relating to Distribution*

(k) *No preference ratings required for delivery of replacement parts for resale.* No producer or distributor need require any preference rating for the delivery of finished replacement parts for resale as such or for use by a consumer, except on Army, Navy, Maritime Commission and War Shipping Administration orders as provided in paragraph (m). All deliveries of such parts for resale or to consumers may be made as if the orders therefor bore the preference ratings assigned to their production in paragraph (b), and without regard to orders bearing a lower rating. In addition, the provisions of this paragraph are applicable to orders for finished parts required for rebuilding or reconditioning operations.

(l) *Parts for emergency repairs—(1) How to order parts.* Notwithstanding the provisions of paragraph (g) above, a distributor may order and accept delivery of replacement parts which he does not have in stock when required by a consumer for the emergency repair of a particular vehicle which cannot be operated without such parts. In such emergency, a distributor must file with his order to the producer a certificate in the following form:

**CERTIFICATE FOR EMERGENCY REPAIR ORDER  
AUTOMOTIVE REPLACEMENT PARTS**

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation that the replacement parts specified in the attached order are essential for the repair of the following vehicle, which cannot now be operated without such parts:

Make ----- Engine Number -----  
Signed -----

(Firm, partnership or corporation)

By -----  
(Name and title of individual)

-----  
(Address of firm, partnership or corporation)

Dated -----

A copy of the certificate must be retained by the distributor issuing it as a part of his records.

The standard form of certificate described in Priorities Regulation No. 7 may not be used in place of the above certificate.

(2) *Emergency repair orders take preference.* A producer receiving an order accompanied by a certificate for Emergency Repair must give such order precedence in shipment over other orders not of an emergency nature, and in ordering finished parts from suppliers

should indicate quantity of such parts required to fill orders of this type.

(3) *Use of certificate restricted.* The Certificate for Emergency Repair may be used only to secure essential replacement parts for emergency repairs as described in this paragraph (1). It must not under any circumstances be used by a distributor to replenish his stock.

(m) *Preference ratings of AA-2X or higher required on sales by distributors to Army, Navy and Maritime Commission.* Irrespective of the provisions of this order, no distributor shall sell or deliver any replacement parts to the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration except upon receipt of an order bearing a preference rating of AA-2X or higher.

(1) *Special provisions for Army orders.* No distributor may accept a purchase order for replacement parts, except parts for "post exchange" and "contractor vehicles" (Army owned but contractor operated as defined in War Department Circular 285, dated November 6, 1943), submitted to him by the Army unless the order specifies in accordance with War Department instructions the type, manufacturer, model and United States Army registration number of the vehicles covered by the purchase order; and the order must carry a certification that such vehicles are "dead-lined" for emergency repair. Neither the registration number of the vehicle nor a certification that the vehicle is "dead-lined" for emergency repair is required if the Army certifies instead that the registration number is unavailable and that a survey has been made of Army stocks in accordance with War Department Circular No. 209, dated September 13, or other specified circular, and that the parts are needed to effect immediate shipment overseas. Delivery by distributors of replacement parts against such orders for the Army must be restricted to parts in the distributors' inventory which are in his stock and are available for immediate delivery at the time the order is received from the Army. It is not sufficient that they are in inventory immediately before delivery.

(n) *Restrictions on sales to consumers—(1) No sale of new parts where old can be rebuilt or reconditioned.* No new replacement part shall be sold or delivered to a consumer to replace a part which the producer or distributor can rebuild or recondition by use of available local reconditioning facilities. The provisions of this paragraph shall not apply to any replacement parts sold to a consumer where the old part is traded in on a unit exchange basis.

(2) *Used parts to be turned in.* No producer or distributor shall sell or deliver any replacement part either new, used or rebuilt, to a consumer unless the consumer turns in to the producer or distributor, concurrently with his purchase, a used replacement part of similar kind for each such replacement part delivered to the consumer. However, a used replacement part need not be turned in in the following cases:

(i) Where the used part has been consumed in use, lost or stolen;

(ii) Where the used part is a cab assembly;

(iii) Where the consumer is a Federal or Territorial Department, Bureau or Agency, or a State or political subdivision thereof, which is forbidden by law from making such disposal of replacement parts;

(iv) Where the new or rebuilt part is ordered by telephone, telegraph or mail, or is to be installed by the purchaser;

(v) Where the new part to be purchased by the consumer will improve the efficiency of the vehicle, its capacity or usefulness, such parts being as follows: for all vehicles—oil filters, governors, shims, piston and piston ring expanders, and balance weights; for medium and heavy trucks, truck trailers, passenger carriers, off-the-highway motor vehicles, motorized fire and police equipment—auxiliary and heavier springs, differentials, trailer connections, brakes, fifth wheels for truck tractors, auxiliary fuel tanks, landing gears, heavy duty generators, auxiliary transmissions, two-speed and attachment third axles, power take-offs; heavy duty trailer axles, front wheel drive conversion units, frame extensions, wheels and rims, marker, clearance and identification lamps, spot lamps, fog lamps, and backup lamps, signaling devices, reflex reflectors, windshield defrosters, truck and bus traction sanders; for off-the-highway motor vehicles—power steering booster devices.

(3) *Use of consumer's certificates.* In any of the cases provided for in subparagraphs (2), (ii), (iv) and (v) above, in which the consumer is not required to turn in a used part, he must sign and deliver to the producer or distributor concurrently with each purchase, or on the written confirmation thereof if the order is placed by telephone or telegraph, a Consumer's Certificate in the following form:

**CONSUMER'S CERTIFICATE**

**AUTOMOTIVE REPLACEMENT PARTS**

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that: (a) the replacement parts covered by this certificate are essential for the maintenance, repair or improvement of equipment he now owns or operates; (b) these parts will be used to replace parts which, to the best of his knowledge, cannot be rebuilt or reconditioned by use of available facilities; and (c) he will, within thirty days after receiving the parts, dispose of the old parts, if any, through scrap channels.

Signed -----

Vehicle owner or operator

Date ----- Address -----

The foregoing Consumer's Certificate must be retained by the producer or distributor making the sale to the consumer as part of his records.

The standard form of certificate described in Priorities Regulation No. 7 may not be used in place of the above certificate.

(4) *Emergency Stocks for Fleet Operators.* Any owner or operator of a fleet of twenty-five (25) or more medium or heavy trucks, passenger carriers, off-the-highway motor vehicles or taxicabs may, without turning in a similar used part or filing a Consumer's Certificate, purchase engines (less starting, ignition and fuel

systems); radiators; clutch assemblies; transmission assemblies; front axle assemblies; and rear axle assemblies; in quantities that will not result in his possession of an inventory which exceeds one each such assembly for every twenty-five (25) such vehicles, or multiples of twenty-five (25), which he maintains in service currently licensed.

#### Miscellaneous Provisions

(c) *Applicability of War Production Board regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time except where otherwise stated.

(p) *Exceptions to applicability of this order.* (1) The terms and restrictions of this order, except as provided for in paragraphs (d) and (m) above, shall not apply to any replacement parts sold to or produced under contracts or orders for delivery to the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Offices of Scientific Research and Development.

(2) The terms and restrictions of this order under the headings "Provisions Relating to Distributors' Inventories" and "Provisions Relating to Distribution" shall not apply to any person located outside of the forty-eight states and the District of Columbia.

(q) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(r) *Exceptions and appeals—(1) Production under Priorities Regulation 25.* Any person who wants to manufacture any parts for use in the repair, maintenance or improvement of light, medium and heavy trucks, truck trailers, passenger carriers, off-the-highway motor vehicles, motorized fire equipment or passenger automobiles not listed on Schedules I or II to this order may apply for permission to do so under Priorities Regulation 25. The provisions of this order do not apply to parts not listed on Schedules I and II where production is authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions of paragraph (e) (1) shall be made by filing a letter in triplicate with the field office of the War Production Board for the district in which is

located the plant or branch to which the appeal relates, referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the restrictions in paragraph (e) (1).

(s) *Communications.* All communications concerning this order shall, unless otherwise directed be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Ref: Order L-158.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHILAN,  
Recording Secretary.

#### SCHEDULE I

(See pars. (a), (b), (c), (e) of this order)

For all vehicles: (1) engines, (component parts only); (2) clutches; (3) transmissions; (4) propeller shafts and universal joints; (5) axles; (6) braking systems; (7) wheels; (8) springs; (9) steering apparatus; (10) cooling systems; (11) fuel systems; (12) electrical systems, including generators, starters and motors.

#### SCHEDULE II

(See pars. (a), (b), (c) of this order)

For all vehicles: (13) engines, less starting, ignition and fuel systems; (14) tire valve assemblies; (15) mechanical starting apparatus; (16) frame and spring assemblies, except spring covers and spring clip spacer tubes; (17) shock absorbers; (18) speedometers; (19) driving mirrors; (20) windshield wiper assemblies; (21) exhaust systems; (22) radiator shells supporting radiator cores; (23) lubricating systems, including fittings; (24) lamps (but not bulbs), signal horns, and bells and bells (a) primary wire (b) spark plug wire and (c) battery cable, the last three items only in lengths of 100 ft. maximum; (25) safety glass and channels; (26) hood, door, window and rear deck actuating mechanisms; (27) front fenders, but only types which house or hold headlights; (28) windshield defrosters (components only); (29) heater hose; (30) governors.

In addition, but only for medium and heavy motor trucks, truck-trailers, passenger carriers, off-the-highway motor vehicles and motorized fire equipment: (31) power dividers and power take-offs; (32) transfer cases; (33) coupling devices; (34) trailer landing gears; (35) cabs and cabs; (36) attachment third axles; (37) front fenders without limitation as to type; (38) hoods; (39) liquid measuring gauges; (40) body mechanical and hydraulic hoists (component parts only); (41) tachometers; (42) doors and door hardware; (43) markers, clearance and identification lamps, spot lamps, (internally controlled only), fog lamps and back-up lamps; (44) fuses and flares; (45) signaling devices; (46) reflex reflectors; (47) windshield defrosters; (48) truck and bus traction cinders.

In addition, but only for passenger carriers and motorized fire equipment: (49) body structural repair parts; (50) cabs; (51) destination signs; (52) fare boxes; (53) guards and grab rails; (54) door-operating mechanisms; (55) heating and ventilating equipment.

INTERPRETATION 1—REWORKING OF ENGINE PISTONS AND BEARINGS BY PRODUCERS' BRANCHES

The question of reworking engine pistons and bearings in the field to sizes other than those specified in paragraphs (f) (1) and (f) (4), respectively, of § 3292.46. Limitation Order L-158, has been the subject of some

uncertainty in the industry. In order to clarify the order, with respect to the intent of these paragraphs, the following interpretation is hereby issued:

Producers' direct factory branches of warehouses, wholly owned or controlled by them, may finish engine pistons and bearings to any intermediate sizes not specified in paragraphs (f) (1) and (f) (4), respectively, of Limitation Order L-158, when ordered from the factory branch by a customer for immediate use in a specific engine. None of these intermediate sizes may be ordered from a factory branch for stock or to be held in inventory. A certificate for emergency order, as provided for in Order L-153, paragraph (1), should accompany each order placed with the factory branch for the intermediate sizes other than those specified in the paragraphs mentioned above, as a means of identifying the need for the part in a specific vehicle. (Issued Oct. 1, 1943.)

#### INTERPRETATION 2

PRODUCTION OF DECORATIVE HUB CAPS, WHEEL CAPS AND WHEEL TRIM RINGS NOT PERMITTED UNDER ORDER L-158

Hub caps, wheel caps and wheel trim rings which serve only as ornamental or decorative items are not considered components of wheels, Item (7) Schedule 1 to Limitation Order L-158. Consequently, they may not be produced. However, hub caps which serve as grease retainers are considered components of wheels and may be produced. (Issued Aug. 9, 1944.)

INTERPRETATION 3: Revoked Aug. 9, 1944.

DIRECTION 1: Revoked Aug. 9, 1944.

[F. R. Doc. 44-14062; Filed, Sept. 12, 1944; 11:37 a. m.]

#### PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-153, Revocation of Direction 2]

Direction 2 to Limitation Order L-158, is revoked. It is superseded by paragraph (a) (1) of Order L-158, as amended September 12, 1944.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHILAN,  
Recording Secretary.

[F. R. Doc. 44-14063; Filed, Sept. 12, 1944; 11:37 a. m.]

#### PART 3293—CHEMICALS

[General Allocation Order M-360, Schedule 8, as Amended Sept. 12, 1944]

HIDE GLUE, EXTRACTED BONE GLUE AND GREEN BONE GLUE

§ 3293.1008 *Schedule 8 to General Allocation Order M-360—(a) Definitions.* (1) "Hide glue" means glue known commercially as hide glue, including the types of glue known as coney and chrome glue, and also technical gelatin of the type known as clarified hide glue.

(2) "Extracted bone glue" means glue made from dry bones and known commercially as extracted bone glue.

(3) "Green bone glue" means glue of the type known commercially as green bone glue.

(4) The term "glue" where used alone means hide glue, extracted bone glue and green bone glue.

(b) *General provisions.* Hide glue, extracted bone glue and green bone glue are subject to the provisions of General Allocation Order M-300 as Appendix B materials. The initial allocation date is April 1, 1944, when these glues first became subject to allocation under this schedule. The allocation period is the calendar quarter. The small order exemption without use certificate for each person during the fourth quarter of 1944, or during any calendar quarter thereafter, is 10,000 pounds of hide or extracted bone glue (or both, in any proportion aggregating not over 10,000 pounds), and an additional 10,000 pounds of green bone glue.

(c) *Special interim provision.* Authorizations issued under this schedule as in effect prior to September 12, 1944, shall continue in effect indefinitely, except that authorizations to deliver shall expire not later than October 31, 1944. The small order exemption for each person during the third quarter of 1944 shall remain at 1,200 pounds of hide and extracted bone glue, and an additional 6,000 pounds of green bone glue.

(d) *Suppliers' applications on Form WPB-2947.* Each supplier seeking authorization to deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 15th day of the month before the proposed delivery quarter. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-8. A single set of forms shall be filed for hide and extracted bone glue, and a separate set for green bone glue. Different plants under common ownership may file separate or combined suppliers' forms at their discretion. The unit of measure is pounds. Leave the grade space blank. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. In Table II leave Column 8 blank and fill in the other columns as indicated. Substitute "Quarter" for "Month" in the headings throughout the form.

(e) *Certified statements of use.* Each person placing orders for delivery in any quarter of an aggregate quantity from all suppliers in excess of the small order exemption, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. Proposed use should be specified in terms of the following:

Abrasives.  
Adhesives.  
Book binding.  
Containers of wood, paper and fibre.  
Cork products (however, designate gaskets as such).  
Flexible glue.  
Gaskets.  
Gummed paper and tape.  
Matches.  
Paper and paper products (however, designate paper containers, gummed paper and tape as such).

Printer rollers.  
Textiles.  
Woodwork (however, designate wooden containers as such).  
Other products (describe).

In addition to listing the above products, specify percentage for civilian and military, and specify military specification and contract number, if any.

Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", or "for export" (specify destination and export license number).

(f) *One time base period report.* Each person (including suppliers who consume part of their own stocks, but excluding government departments and agencies) shall file a one time base period report on Form WPB-3442, on or before the date when he first files a certified statement of use pursuant to paragraph (e), or an application for authorization to use pursuant to paragraph (d). It is not necessary to report again under this paragraph if the same report has previously been made in accordance with the special direction dated March 10, 1944, which called for the same information as this paragraph, or in accordance with this schedule as originally issued.

Separate sets of forms shall be prepared for hide glue, extracted bone glue and green bone glue respectively, and for each different plant. One copy of each set shall be retained and one copy forwarded to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-8.

In the heading specify in space (1) the kind of glue, in space (2) "pounds", and in space (3) "M-300-8". Fill in the other spaces as indicated.

In section (1) fill in column (a) as indicated and leave column (b) blank. In the heading of column (c) specify "1941", in the heading of column (d) specify "1942", in the heading of column (e) specify "1943", in the heading of column (f) specify "receipts 7/1/42 to 7/1/43", and fill in these columns accordingly on the bottom line of section (1). Sales and exports of glue as such may be combined on the last line of the section and this line should be filled in for columns (b), (c), (d), (e) and (f). Leave column (g) blank.

Leave section II blank.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-8.

Issued this 12th day of September 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-14069; Filed, Sept. 12, 1944;  
11:38 a. m.]

## Chapter XI—Office of Price Administration

### PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,<sup>1</sup> Amdt. 86]

#### TIRES, TUBES, RECAPPING AND CAMELBACKS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.803 (g) is added to read as follows:

(g) *Dealer's failure to post inventories or refusal to sell tires.* (1) A dealer customarily selling tires to consumers after September 16, 1944, who does not post the notice set forth in subparagraph (2) in the manner described or who does not, under the conditions set forth in subparagraph (3), sell a tire may be prohibited from acquiring tires for sale and from transferring tires to consumers.

(2) The notice must be posted at the start of each business day at each of his establishments in a place and manner which will make it plainly visible to prospective buyers. It shall be headed "New Truck Tires 8.25 or Larger Held for Sale" and shall list, by sizes, the number of all new truck tires with a cross-section size 8.25 or larger which he holds for sale at that establishment.

On any day on which a dealer has no new truck tires 8.25 or larger for sale, he shall post a notice in the same manner and shall show the word "None" following the heading.

The notice is deemed to be a representation to the Office of Price Administration that the dealer has not omitted from the notice any new truck tires 8.25 or larger which he holds for sale.

(3) The dealer must sell any new tire which he holds for sale at his establishment to a consumer who presents a proper certificate and who offers to pay the maximum price of the tire established by the Office of Price Administration, in cash or by a certified or cashier's check. New tires "held for sale" at a dealer's establishment are all new passenger, new tractor-implement, new industrial-type or new truck tires in the inventory of the establishment, including tires in storage or on consignment with the dealer, but excluding any tires for which he has accepted a certificate from a consumer, or a replenishment portion of a certificate or receipt from a dealer, or an authorization of a District Office permitting their transfer to another dealer, or any tires which the National Office of the Office of Price Administration has authorized him to hold for specified classes of consumers.

(4) A dealer's failure to comply with the provisions of subparagraph (1) shall

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 9160, 9392, 9724.

be determined at a hearing conducted by a special hearing officer who shall be appointed by the District Director for the area in which the dealer's establishment is located. The institution and conduct of the proceeding shall conform with the procedure set forth in Article II of Revised Procedural Regulation No. 4<sup>2</sup> with the special hearing officer exercising the powers and functions specified therein for hearing commissioners in the conduct of suspension hearings. If the special hearing officer determines that the respondent dealer has failed to comply with the provisions of subparagraph (1), he may issue an order prohibiting the dealer from acquiring tires for resale and from transferring tires to consumers. The order shall be effective five days after the date it is personally served on, or mailed to, the respondent. A respondent against whom such an order has been issued may, within 15 days after the date of service thereof, appeal by filing a statement of objections with the special hearing officer. Within three days after the receipt of the statement, the special hearing officer shall forward it, together with a copy of the notice instituting the hearing and a copy of his order, to the hearing commissioner having jurisdiction over the area in which the hearing was conducted. The appeal shall be heard and determined pursuant to the provisions of Article IV of Revised Procedural Regulation No. 4<sup>2</sup>.

If the special hearing officer determines that no order of prohibition should be issued, he may issue an admonitory order or an order dismissing the proceedings.

This amendment shall become effective September 16, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 11th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14044; Filed, Sept. 11, 1944;  
4:02 p. m.]

#### PART 1364—FRESH, CURED, AND CANNED MEAT AND FISH PRODUCTS

[MPR 364, Incl. Amdts. 1-20, Correction]

##### FROZEN FISH AND SEAFOOD

In the compilation of Maximum Price Regulation 364 (including Amendments 1-20) the following corrections are made:

1. In the preamble the reference to Amendment "11" in the second sentence is corrected to read Amendment "20".

2. In section 12, table of package differentials, the last word, "Subtract", is corrected to read, "Subtract 1¢ per lb."

3. In section 13, the table of base prices, Schedule No. 11 (g), Sole, Petrale-Pacific, is corrected to include the following items:

<sup>2</sup> 9 F.R. 2558, 5426, 9412.

Schedule No.	Name	Item No.	Style of processing	Size	Base price per pound
11	(g) Sole, Petrale-Pacific	1	Round	All sizes	0.03½
		2	Dressed	do	0.10½
		3	Dressed and shrimped	do	0.12¾

Issued this 11th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14043; Filed, Sept. 11, 1944;  
4:02 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13, Amdt. 31 to 2d Rev. Supp. 1]

##### PROCESSED FOODS

Second Revised Supplement 1 to Revised Ration Order 13 is amended in the following respects:

1. The factor in § 1407.1102 (b) (4) (i) (a) is amended by substituting the number "18" for the number "12".

2. The factor in § 1407.1102 (b) (4) (ii) (a) is amended by substituting the number "0" for the number "12".

3. The factor in § 1407.1102 (b) (4) (iii) (b) is amended by substituting the number "0" for the number "5".

This amendment shall become effective September 15, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280 7 F.R. 10179; WFB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 11th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14042; Filed, Sept. 11, 1944;  
4:02 p. m.]

#### PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 418, Amdt. 34]

##### FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 3 (c) is amended to read as follows:

(c) *Maximum prices for primary fish shipper sales to retailers or purveyors of meals.* The maximum price for a primary fish shipper sale of fresh fish or seafood (except head-on shrimp) to a retailer or purveyor of meals, except from

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 9 F.R. 173, 903, 1181, 2091, 2290, 2553, 2630, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 4959, 6103, 6151, 6450, 7344, 7423, 7433, 9109, 9170, 9266, 9278.

<sup>2</sup> 7 F.R. 8609, 8005, 6948, 8 F.R. 544, 2322, 3367, 4785, 7322, 7671, 7826, 8370, 8677, 8938, 10571, 10732, 11380, 13296, 15191, 15609, 16425, 9 F.R. 1996, 43083.

a branch warehouse as provided in paragraph (d), is the price listed in Table C in section 22, plus the appropriate container allowance, if any, provided in section 21, plus the allowance provided in section 6 for a service and delivery sale where such sale is made. The maximum price for such a sale of head-on shrimp is the price listed in Table D in section 22, plus the appropriate container allowance, if any, provided in section 21, plus the allowance provided in section 6 for a service and delivery sale where such sale is made.

This amendment shall become effective September 18, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14073; Filed, Sept. 12, 1944;  
11:42 a. m.]

#### PART 1375—EXPORT PRICES

[2d Rev. Max. Export Price Reg., Amdt. 10]

##### SALES TO EXPORTERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 2 of the Second Revised Maximum Export Price Regulation is amended to read as follows:

Sec. 2. *Sales to exporters.* On a sale to a person who buys for his own account a commodity for shipment outside the continental United States, the maximum price shall be the seller's maximum domestic price applicable to the transaction, except that—

(a) If such maximum domestic price does not expressly include charges for preparing, packing or otherwise servicing the commodity for shipment abroad or installing or servicing it after shipment abroad, that maximum price may be increased by any amount by which the cost of performing those services exceeds the cost of performing similar services on comparable domestic sales: *Provided, however,* That no such additional charge may be made unless separately shown on the seller's invoice.

(b) If such maximum domestic price does not expressly apply to sales to exporters as a separately-identified class of purchaser, any seller who, prior to extension of price control to his sales of the commodity, had an established practice whereby he charged exporters prices higher than he charged comparable domestic purchasers but which practice

<sup>1</sup> 8 F.R. 4132, 5987, 7662, 9338, 15193; 9 F.R. 1030, 5435, 5332, 7201, 9835.



the applicable domestic price regulation has forced him to discontinue, may apply to the Office of Price Administration for approval of maximum prices or pricing methods which reflect that practice. Application for such approval should be addressed to the Export-Import Price Branch, Office of Price Administration, Washington, D. C., and should fully explain the applicant's former practice, the customary differentials between his domestic prices and his prices to exporters, and the methods of conducting his export business which justify the practice. Approval will be granted where, and to the extent that, it is satisfactorily shown that the practice was in fact regularly established and is necessary to enable the seller to pay customary commissions pursuant to exclusive agency agreements, to effectuate foreign price maintenance policies, to preserve foreign good will for his products, or to protect his export sales representatives from destructive competitive practices.

This Amendment No. 10 shall become effective September 18, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14076; Filed, Sept. 12, 1944;  
11:45 a. m.]

#### PART 1382—HARDWOOD LUMBER

[MPR 432, Amdt. 5]

#### NORTHERN HARDWOOD FLOORING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 432 is amended in the following respect:

Section 13 is hereby revoked.

This amendment shall become effective September 18, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14072; Filed, Sept. 12, 1944;  
11:42 a. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10, Amdt. 24]

#### FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 10 is amended in the following respects:

\*Copies may be obtained from the Office of Price Administration.

\*8 F.R. 10079, 12180; 9 F.R. 171, 4476, 7201, 5925.

\*7 F.R. 6887, 8523, 8607, 10707; 8 F.R. 1394, 3315, 3843, 4190, 4892, 5268, 7017; 9 F.R. 2233, 2476, 2656, 2746, 3652.

1. The table under § 1407.687 is amended to read as follows:

Ration period	Stamp valid during ration period (Book 1)	Weight value of stamp (pounds of cornmeal)
Sept. 4 to Sept. 10.....	No. 22.....	3
Sept. 11 to Sept. 17.....	No. 23.....	3
Sept. 18 to Sept. 24.....	No. 24.....	3
Sept. 25 to Oct. 1.....	No. 25.....	3
Oct. 2 to Oct. 8.....	No. 26.....	3
Oct. 9 to Oct. 15.....	No. 27.....	3
Oct. 16 to Oct. 22.....	No. 28.....	3

2. Section 1407.704 (a) is amended by changing the phrase "four (4)" to read "twelve (12)".

This amendment shall become effective as of September 4, 1944.

Issued this 12th day of September 1944.

JACOB A. ROBLES,  
Territorial Director,  
Virgin Islands.

Approved:

JAMES P. DAVIS,  
Regional Administrator,  
Region IX.

[F. R. Doc. 44-14071; Filed, Sept. 12, 1944;  
11:42 a. m.]

#### PART 1499—COMMODITIES AND SERVICES

[GMPR, Amdt. 65]

#### FAIR TRADE CONTRACTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1499.18 (d) is amended as follows:

The words "wholesale or retail" are substituted for the word "retail" wherever it appears.

This amendment shall become effective September 18, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14074; Filed, Sept. 12, 1944;  
11:43 a. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 47 Under 3 (b), Amdt. 1]

#### STEIN-DAVIES CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

That Order No. 47 under § 1499.3 (b) of the General Maximum Price Regulation be and is hereby amended by substituting the words "Stein-Davies Company and/or Stein-Hall Company" wherever the words "Stein-Davies Company" appear.

This amendment shall become effective September 13, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14078; Filed, Sept. 12, 1944;  
11:43 a. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 678 Under 3 (b)]

#### TUBE-LUBE CO.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to §§ 1499.3 (b) and 1499.3 (c) of the General Maximum Price Regulation, it is ordered:

§ 1499.2170 *Maximum prices for certain paint materials.* (a) The maximum prices for "Insul-Coat", a dry powder to be used in mixing a paint for vulcanizing curing bags, produced by Tube-Lube Company, Chattanooga, Tennessee, in one-pound packages shall be:

	Per pound
Sales to jobbers.....	\$0.60
Sales to vulcanizing shops (ultimate consumer).....	.90
Freight prepaid to jobbers in lots of 100 pounds or more.	

(b) All prices shall be subject to the discounts, allowances, and trade practices of the seller in effect during March 1942.

(c) No extra charge may be made for containers.

(d) With or prior to the first delivery of "Insul-Coat" to any jobber, Tube-Lube Company shall furnish him a written notice as follows:

#### NOTICE

*Insul-coat in one-pound packages (per pound)*

My maximum price, freight prepaid on lots of 100 lbs. or more, is..... \$0.60  
Your maximum price is..... .90

(e) Tube-Lube Company shall mark each package to indicate the maximum price for sales to vulcanizing shops as follows:

Retail ceiling price..... 90 cents

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 13, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14079; Filed, Sept. 12, 1944;  
11:43 a. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 679 Under 3 (b)]

#### S. C. JOHNSON & SON, INC.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to §§ 1499.3 (b) and 1499.3 (c) of the General Maximum Price Regulation, it is ordered:

§ 1499.2169 *Maximum prices for certain textile water repellent coatings.* (a) The maximum prices for sales of "Drax", a textile water repellent coating, produced by S. C. Johnson & Son, Inc., Racine, Wisconsin, in 8, 16 and 21¾ ounce glass containers shall be:

	Sales to wholesalers	Sales to dealers	Sales at retail, delivered
	Carton of 12 units	Carton of 12 units	Each
8-ounce.....	\$3.24	\$4.06	\$0.48
16-ounce.....	5.10	6.39	.76
21¾-ounce.....	5.87	7.35	.87

## Notice

	Drax		
	8 oz.	16 oz.	21¾ oz.
(1) My maximum price(s) is (are) f. o. b. .... (insert applicable point) per carton of 12 units each.	\$3.24.....	\$5.10.....	\$5.87.
(2) Your maximum price(s) is (are) f. o. b. .... (insert applicable point) per carton of 12 units each.	\$4.06.....	\$6.39.....	\$7.35.
(3) Maximum prices for sales at retail are.....	\$0.48 each.....	\$0.76 each.....	\$0.87 each.

*Instructions.* You are required by the Office of Price Administration to send with or prior to your first delivery to a dealer a notice identical in form to items (1) and (2) of this Notice filled in with the applicable maximum prices. The dealer's maximum prices to be indicated in item (2) of your notice are set forth in item (3) of this Notice.

(e) With or prior to the first delivery of any size "Drax" to any dealer, S. C. Johnson & Son, Inc., shall furnish such dealer with a written notice as follows:

## Notice

	Drax		
	oz.	16 oz.	21¾ oz.
(1) My maximum price(s) is (are) f. o. b. .... (insert applicable point) per carton of 12 units.	\$4.06.....	\$6.39.....	\$7.35.
(2) Maximum prices for sales at retail are.....	\$0.48 each.....	\$0.76 each.....	\$0.87 each.

(f) S. C. Johnson & Son, Inc., shall mark each container to indicate the maximum prices for sales at retail as follows:

(1) 8 ounce containers "Retail Ceiling Price 48 cents."

(2) 16 ounce containers "Retail Ceiling Price 76 cents."

(3) 21¾ ounce containers "Retail Ceiling Price 87 cents."

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 13, 1944.

Issued this 12th day of September 1944,

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14080; Filed, Sept. 12, 1944;  
11:43 a. m.]

## Chapter XX—Office of Contract Settlement

[General Reg. 2]

### PART 8008—INTERIM FINANCING

#### SUBPART B—PARTIAL PAYMENTS

SEPTEMBER 8, 1944.

Pursuant to the authority conferred upon me by section 4 (b) and section 8 (c) of the Contract Settlement Act of

No. 183—4

All above prices on sales to wholesalers and dealers f. o. b. cars destination on shipments of 100 lbs. or more, gross weight. All above prices on sales to wholesalers and dealers on other shipments f. o. b. seller's nearest warehouse.

(b) All prices shall be subject to the discounts, allowances and trade practices of the seller in effect during March, 1942.

(c) No extra charge may be made for containers.

(d) With or prior to the first delivery of any size "Drax" to any wholesaler, S. C. Johnson & Son, Inc. shall furnish such wholesaler a written notice as follows:

cles and war contractors shall take adequate steps to assure that subcontractors receive partial payments when desired by them. Determination of the amount of partial payments to be made under this regulation shall be without prejudice in the negotiation of final settlement. Such payments shall be subject to section 9 (b) of the act, providing any amount paid in excess of the amount finally determined to be due on the termination claim shall be treated as a loan from the Government to the war contractor receiving it.

#### § 8008.52 *Types of partial payments.*

(a) The types of partial payments which shall be made are as follows:

(1) Immediate partial payments, based on contractors' estimates;

(2) Cost-supported partial payments; and

(3) Controlled partial payments into special accounts.

(b) Partial payments shall, in general, be made to prime contractors on their own applications based on their own termination charges and on the applications of subcontractors transmitted through the prime contractor and any intervening subcontractors to the contracting agency. Such applications shall be made, by both prime contractors and subcontractors, in substantially the form of Application for Partial Payment provided. In appropriate cases, partial payments may be made to war contractors to enable them in advance of subcontractors' requests, to set up a fund from which prompt partial and final payments may be made to their subcontractors; in such cases, special requests will be made, which need not follow the application form. The contracting agencies may, in addition, vary the application form in such manner as they deem appropriate to the particular case to provide for the making of partial payments upon a group of war contracts.

§ 8008.53 *Immediate partial payments based on contractors' estimates.* (a) Contracting agencies shall make immediate partial payments for the benefit of any war contractor, whether prime contractor or subcontractor, promptly upon the filing of application therefor. Contracting agencies should promptly grant the request for partial payment in the largest amount believed reasonable under all the circumstances then known, but such amount shall not exceed 90% of the amount certified in the application as due on account of the contractor's own costs allocable to the terminated portion of the contract. In deciding the amount to be paid, the contractor's application should be considered in the light of the general reputation of the contractor and other relevant factors. Contracting agencies should authorize personnel making partial payments to base their determination of the amount to be paid solely on the contractor's application unless there is knowledge of other relevant factors militating against such payment.

(b) An immediate partial payment will be made in each case in an amount not less than 75% of the contract price of completed articles not delivered, plus

1944, the following policies, principles, methods, procedures, and standards relating to partial payments on account of termination claims of all war contractors, including cost-plus-a-fixed-fee contractors, are prescribed for all contracting agencies:

#### Sec.

- 8008.51 General policies.
- 8008.52 Types of partial payments.
- 8008.53 Immediate partial payments based on contractors' estimates.
- 8008.54 Cost-supported partial payments.
- 8008.55 Controlled partial payments.
- 8008.56 Partial payments to subcontractors.
- 8008.57 Estimates of partial payment arrived at in advance of termination.
- 8008.58 Assignments.
- 8008.59 Deduction of outstanding advances, etc.
- 8008.60 Demands for repayment.
- 8008.61 Overpayments.
- 8008.62 Overstatements of claims.
- 8008.63 This regulation not exclusive.
- 8008.64 Speed in final settlement.
- 8008.79 Forms.

§ 8008.51 *General policies.* The contracting agencies are hereby directed to provide war contractors having any termination claim or claims with adequate interim financing within 30 days after proper application therefor to such agencies. Upon request of war contractors, such interim financing shall be effected through partial payments to the greatest extent practicable. Contracting agen-

75% of the contractor's estimated costs of raw materials, purchased parts, supplies, direct labor and overhead allocable to the terminated portion of a contract (but not including the cost of special facilities or other items deemed likely to be of a controversial character, and not including profit), unless (1) the contracting agency has reason to believe that the application for immediate partial payment was not filed in good faith, or that the amount requested is excessive, or that protection of the Government's interests requires denial of the application or payment in a lesser amount, or (2) unless the contractor requests payment in a lesser amount. This provision for minimum partial payments shall not be construed to limit the responsibility of the contracting agencies to make partial payments in the largest amount believed reasonable under the provisions of paragraph (a) of this section.

§ 8008.54 *Cost-supported partial payments.* When the contractor has submitted substantial accounting data, and a preliminary review thereof indicates that the application is proper and is supported by the data submitted, the contracting agency, to the extent requested, shall make an additional partial payment, or if none has previously been made, a partial payment, in an amount which, together with any other partial payments previously made on the same termination claim, equals:

(a) An amount equal to 100 percent of the amount payable, at the contract price, on account of acceptable items completed prior to the termination date under the terms of the contract, or completed thereafter with the approval of the contracting agency; plus

(b) An amount equal to 90% of the cost of raw materials, purchased parts, supplies, direct labor, and manufacturing overhead allocable to the terminated portion of the war contract; plus

(c) A reasonable percentage of other allowable costs, including administrative overhead, allocable to the terminated portion of the war contract not included in the foregoing; plus

(d) Such additional amounts, if any, as the contracting agency deems necessary to provide the war contractor with adequate interim financing.

The amount to be paid under paragraphs (a) to (d) above should not be greater than the amount which, in the opinion of the contracting agency after such a preliminary review, is due to the contractor by reason of the termination.

§ 8008.55 *Controlled partial payments.* When a war contractor requesting, or forwarding an application for a partial payment, is deemed to be insolvent or in imminent danger of insolvency, or when an application for immediate partial payment under the conditions set forth in § 8008.53 above has been in whole or in part denied, partial payments may be deposited in a special account. Partial payments deposited in special accounts will be released as particular items of cost or payments to subcontractors are approved. The interest of the Government in such controlled accounts shall

be protected by such methods as the contracting agency considers advisable. Additional payments may be made, from time to time, into the controlled account by the contracting agency.

§ 8008.56 *Partial payments to subcontractors.* The application of a subcontractor for partial payment shall be filed with the war contractor in the tier immediately above him, and unless that war contractor makes the payment pursuant to authorization from the contracting agency, shall be transmitted through contractual channels to the contracting agency having jurisdiction over the prime contract. Each prime contractor and upper tier subcontractor transmitting the application shall subscribe thereon a statement substantially as set forth on the form of application; or, in any appropriate case, an explanation of its unwillingness to subscribe to such a statement. In the event that the contracting agency totally denies the application for partial payment it shall provide for the transmission of notice of the denial through contractual channels or otherwise, to the applicant. Partial payments to subcontractors are authorized to be made as follows:

(a) Such payments shall, so far as possible, be made to prime contractors in reliance on their agreement to pay over to their subcontractors or to credit against amounts owing from such subcontractors the amounts received by them for the benefit of such subcontractors.

(b) If a prime contractor or an intervening subcontractor is deemed to be insolvent or in imminent danger of insolvency, or for any other reason is unable or unwilling to pay over to his subcontractors any partial payment received for their benefit, the contracting agency may utilize the controlled account procedure set forth in § 8008.55 above.

(c) The contracting agencies may make partial payments directly to subcontractors, in accordance with such procedures as have been or may be authorized by such agencies; and should make such partial payments directly where there is evidence of unwarranted delay under the normal procedures.

In the cases provided for in paragraphs (b) and (c) above, payments may be made without the certificates of intervening contractors, provided that sufficient other information justifying such partial payments is available.

Nothing in this regulation shall be construed to prevent any war contractor from making partial or other payments to its subcontractors pursuant to delegation from the contracting agency, or subject to subsequent approval by the contracting agency.

§ 8008.57 *Estimates of partial payment arrived at in advance of termination.* Interim financing by means of partial payments will be facilitated if contractors estimate the amounts required where this is practicable, in advance of actual termination. Such prior estimates will be based upon the cost of the estimated inventory, including raw mate-

rials and work-in-process, allocable to the terminated portion of a contract at specified stages of completion, excluding those items which he intends to retain. Estimates arrived at between the contractor and a contracting agency in advance of termination will not constitute binding commitments upon a contracting agency but will be subject to confirmation and adjustment by the contracting agency on or after termination. They will, however, provide a realistic means for contractors to discuss their probable financing requirements with contracting agencies and with their immediate customers and will afford a basis on which, prior to termination, the reasonableness of contractors' estimates of costs on which the partial payments will be granted, may be checked, subject to any necessary adjustment after termination.

§ 8008.58 *Assignments.* Any interim financing by means of partial payments hereunder shall be made in such a manner as not to impair or modify any valid assignment of any claim under a war contract without the consent of the parties thereto. Contracting agencies in making partial payments, however, may rely on the statement in the application that no assignments are outstanding, in the absence of actual knowledge to the contrary by the contracting officer or notice given in accordance with the Assignment of Claims Act of 1940.

§ 8008.59 *Deduction of outstanding advances, etc.* In determining the amount of partial payments to be made, there shall be deducted from the amount otherwise payable under this regulation:

(a) Any unliquidated balances of advance and partial payments theretofore made to such war contractor, which are allocable to the terminated war contract or the terminated part of the war contract; and

(b) The amount of all credits for the disposal or retention of property as to which costs or estimated costs were included in any application for partial payment under the terminated contract.

§ 8008.60 *Demands for repayment.* Under the terms of the application form, the contractor requesting a partial payment agrees to repay to the Government, upon demand, the whole or any part of the partial payment if the contractor fails to file the prescribed forms in support of its claim within the required time, and under other stated conditions. Contracting agencies are not required to demand repayment of any partial payment or portion thereof under these conditions, but may do so whenever in their opinion the interest of the Government so requires.

§ 8008.61 *Overpayments.* Any amount of a partial payment in excess of the amount finally determined to be due on account of the war contractor's own charges shall be treated as a loan from the Government to the war contractor receiving it, and shall be payable upon demand with a penalty of 6% per annum from the date such excess arises until the date such excess



subparagraph 1 above, have not been filed within three months after receipt of the partial payment for which request is herein made, or within such extended period as may be allowed by the Government;

(b) The contracting agency shall find that the applicant's estimate under section III above (own costs) is overstated by reason of the disposal or retention of termination inventory subsequent to the date of this application or for any other reason;

(c) The applicant withdraws the whole or any part of its claim. Demand for repayment may be made under subparagraphs (b) and (c) only as to that portion of the partial payment that, in the opinion of the contracting agency, has become excessive.

V. *Certificate of applicant.* The undersigned certifies that the amount of his own charges (exclusive of subcontractors' charges) due as of the date of this application and allocable to the terminated portion of its contract No. \_\_\_\_\_, dated \_\_\_\_\_, with \_\_\_\_\_, is not less than \$\_\_\_\_\_; that, to the best of applicant's knowledge, the amounts received are as set forth above; and that the applicant has not assigned any moneys payable under this contract, except as set forth above.

Name of contractor \_\_\_\_\_  
 Signer \_\_\_\_\_  
 Title \_\_\_\_\_  
 Date \_\_\_\_\_

VI. *Recommendation of first reviewing contractor.* The undersigned states that it has examined this application and has considered the applicant's general reputation. It has no reason to doubt the accuracy of the information contained in this application or that the amount certified by the applicant as due will constitute a proper charge to be included in the undersigned's termination claim against \_\_\_\_\_. It recommends that the requested partial payment be made.

The undersigned agrees that it will promptly pay over to the applicant, or credit against amounts owing from the applicant any amount received for the benefit of the applicant under this application, and that it will repay to the Government on demand any amount not so paid or credited.

Name of contractor \_\_\_\_\_  
 Signer \_\_\_\_\_  
 Title \_\_\_\_\_  
 Date \_\_\_\_\_

VII. *Recommendations of other reviewing contractors.* Each of the undersigned states that it has no reason to doubt that the amount of the partial payment requested, and recommended above, is due the applicant and will constitute a proper charge in the termination claim of the undersigned.

Each of the undersigned agrees that it will promptly pay over to its immediate subcontractor or credit against amounts owing from such subcontractor any amount received for the benefit of the applicant under this application, and that it will repay to the Government on demand any amount not so paid or credited.

Contractor	Signature of officer, partner, or owner	Date	Identification of your contract
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
Etc. _____	_____	_____	_____

APPLICATION FOR PARTIAL PAYMENT UNDER THE  
 CONTRACT SETTLEMENT ACT OF 1944

#### Instructions

1. *Use of form.* This application form is for use by all war contractors, either prime

contractors or subcontractors, under either fixed-price or cost-plus-a-fixed-fee contracts in obtaining partial payments on their termination claims. If applicant is a cost-plus-a-fixed-fee contractor, the form may be so modified as to conform to his accounting system but must furnish the required cost information.

2. *Immediate partial payments based on estimates.* (a) Where a contractor has not had adequate time to prepare his settlement proposal, an "immediate partial payment" may be requested based on the contractor's estimate of his own charges. In applying for a payment of this type, the contractor should fill in the information required in Column B of section III. If his accounting system is not adaptable to the cost information required by section III, he should append to the application a comparable schedule of his estimated costs on such basis as his accounting system permits. Supporting data, including financial statements, may be submitted but are not required unless specifically requested by the contracting agency.

(b) The estimates need be no greater than the contractor believes adequate to support his request for partial payment. Low estimates furnished for the purpose of an immediate partial payment will in no way prejudice the contractor in the final settlement of his claim or in subsequent requests for additional partial payments. Successive applications for partial payments may be filed.

3. *Cost-supported partial payments.* Upon the submission of a settlement proposal, or at any time thereafter, a "cost-supported partial payment" may be requested based on the settlement proposal and accounting data supporting it. In applying for a payment of this type, the contractor should fill in the information required by column A of section III. In addition, he should attach a copy of the settlement proposal.

4. *Certificate of applicant.* The amount certified in section V as the amount of the contractor's charges should be the total that appears in section III, line 9. If some of the charges are cost-supported and others are estimated, appropriate entries may be made in both columns A and B, and the amount certified should then be the sum of the two figures in line 9.

5. *Property disposal credits.* In stating costs or estimated costs, the applicant should not include charges with respect to property which he intends to retain at no cost to the Government. Any credits that have resulted from the sale or retention of property as to which costs or estimated costs have been included in any application for a partial payment on this termination claim will be entered in section III, line c.

6. *Obligations to subcontractors.* Attention is called to the fact that the cost of delivered completed articles may not be included in the termination claim of the producer of those articles. War contractors are obligated to pay at the contract price for completed articles shipped to them by their subcontractors and suppliers prior to the termination of and in accordance with the provisions of the subcontracts or purchase orders calling for delivery of those articles. When necessary, prime contractors and subcontractors should apply for partial payments on their termination claims for the purpose of enabling them to meet such obligations promptly.

7. *Applications of subcontractors.* Subcontractors applying for a partial payment will submit this application to the contractor immediately above them. Unless that contractor has been authorized by the contracting agency to make a partial payment without obtaining specific approval in each case, he will attach his recommendation on the form provided in section VI and forward the application through the contractors above him to the contracting agency. Contractors above the immediate reviewing contractor will fill

in the form of recommendation set forth in section VII and forward the application. If any contractor disapproves of the amount of the requested partial payment, or believes that he cannot properly sign the form of recommendation, he should attach a statement setting forth the reasons for his refusal to sign the form and his recommendation. In the case of an application for a cost-supported partial payment, the settlement proposal need not be forwarded beyond the first reviewing contractor unless expressly requested.

8. *Signatures.* A person other than an officer, partner, or owner may sign the application or recommendation where properly authorized, but in such a case, a copy of his authority should be attached.

9. The Contract Settlement Act of 1944 provides penalties for overstatements of amounts owing to the contractor in connection with interim financing and for excessive payments (section 8 (d) and 9 (b).) Penalties for fraud are provided for in section 19 of the act.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ROBERT H. HINCKLEY,  
 Director.

[F. R. Doc. 44-14025; Filed, Sept. 11, 1944;  
 12:21 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations  
 [Rev. S. O. 112]

#### PART 95—CAR SERVICE

#### DESTINATION FREE TIME ON FRESH OR GREEN FRUITS OR VEGETABLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of September, A. D. 1944.

It appearing, that certain shippers of fresh or green fruits or vegetables in refrigerator cars have been moving cars from one point of delivery within the switching limits of a city or town to other points of delivery within such limits, and thereby delaying the unloading and increasing the free time for unloading under the demurrage rules; in the opinion of the Commission an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic; it is ordered, that:

(a) *Definition.* For the purpose of applying this order, the destination shall be any point of railroad delivery on any railroad within the switching limits of the city or town at which the car is unloaded or at which it is ordered from one hold, inspection or unloading track to another hold, inspection or unloading track within the same switching limits. A demurrage day consists of a twenty-four (24) hour period or fraction thereof.

(b) The free time allowed at destination on any refrigerator car loaded with fresh or green fruits or vegetables as defined in Service Order No. 70, as amended, shall be as follows:



(1) No free time shall be allowed when car is held for ordering from one location to another location within the switching limits of the same city or town or when held for surrender of bill of lading, advise order, or payment of lawful charges prior to delivery to a connecting line for final delivery in the same switching district.

(i) Demurrage detention on the first such transaction shall be computed from the first 7:00 a. m., after notice of arrival is sent or given to the consignee or party entitled to receive it, when car is held on hold, inspection or public delivery track or from the first 7:00 a. m., after actual or constructive placement when for delivery on an other-than-public delivery track, until order to move car to another location within the switching limits of the same city or town is received by an agent of the railroad holding the car.

(ii) Demurrage detention on each subsequent transaction within the switching limits of the same city or town prior to an unloading transaction (see paragraph (2)), shall be computed from the first 7:00 a. m., following actual placement on hold, inspection or public delivery track, or actual or constructive placement on an other-than-public delivery track, to which it has been ordered, until order to move the car to another location within the switching limits of the same city or town is received by an agent of the railroad holding the car.

(2) Forty-eight (48) hours free time shall be allowed to unload, partially unload or to partly unload and partly reload, detention to be computed as follows:

(i) On cars which have previously been reconsigned, diverted or reshipped from one location to another location within the switching limits of the same city or town or have been held by a connecting line within the same switching limits for surrender of order-notify bill-of-lading, advise order, or payment of lawful charges, time will be computed from the first 7:00 a. m., following actual or constructive placement until released.

(ii) On cars which have not been previously reconsigned, diverted or reshipped from one location to another location within the switching limits of the same city or town, time will be computed from the first 7:00 a. m., after notice of arrival is sent or given to consignee or party entitled to receive it and placement on public delivery track where unloaded or partially unloaded or from the first 7:00 a. m., after actual or constructive placement on other-than-public delivery track where unloaded or partially unloaded except that on cars requiring surrender of bill of lading, "advise" order or payment of lawful charges prior to delivery time will be computed as provided in Rule 3, Section B of Agent B. T. Jones' I. C. C. No. 3722.

(c) When an order to move a car from one location to another location within the switching limits of the same city or town is received between 12:01 a. m., and 7:00 a. m., such order will be considered as received after 7:00 a. m.

(d) *Application.* (1) This order shall apply to intrastate commerce as well as

to interstate and foreign commerce carried by every common carrier by railroad subject to the Interstate Commerce Act.

(2) Under this order each railroad shall assess demurrage accruing for detention on its rails. (3) This order shall apply to all diversions accomplished within the destination switching limits except such diversion, if any, reconsigning the car to a new destination outside the switching limits thereof. (4) This order shall apply on cars arriving at destination on and after the effective date hereof.

(e) *Tariffs suspended.* The operation of all rules relating to free time in demurrage tariffs (other than port demurrage tariffs) insofar as they conflict with this order are suspended, except the provision for eliminating Sundays and legal holidays in computing free time. This order shall not affect Demurrage Rule 8 of Agent B. T. Jones' Tariff No. I. C. C. 3722, or similar rules in other demurrage tariffs, relating to the cancellation or refunding of demurrage charges under emergency conditions. Nothing in this order shall be construed to amend or modify the provisions of Service Order No. 70, as amended.

(f) *Publication of suspension.* Each railroad shall file and post a supplement to each of its tariffs affected hereby, announcing the suspension of the operation of any of the provisions therein, substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20, and shall establish the substitute provisions above set forth. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, that this order shall become effective at 12:01 a. m., September 13, 1944, and shall vacate and supersede Service Order No. 112 on the effective date hereof; that a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-14054; Filed, Sept. 12, 1944;  
10:45 a. m.]

## Chapter II—Office of Defense Transportation

[General Order ODT 16B]

### PART 502—DIRECTION OF TRAFFIC MOVEMENT

FREIGHT SHIPMENTS TO OR WITHIN PORT OR  
STORAGE AREAS IN THE UNITED STATES,  
AND TO OR THROUGH THE DOMINION OF  
CANADA

*General outline.* This order supercedes General Order ODT 16A and outstanding permits issued thereunder.

The principal revisions made in this order are (1) to free all shipments by motor truck and all shipments by vessel from ODT unit permit requirements, (2) to confine the controls over government domestic or import freight intended for storage in public warehouses at specific port areas to shipments of an aggregate weight of 20,000 pounds or more and, (3) to eliminate entirely the reporting requirements formerly prescribed in § 502.208 of General Order ODT 16A.

Section 502.202 (a) of this order requires an ODT unit permit for a rail carload shipment of "overseas" freight to or within any named port area for storage or for delivery to an ocean carrier. Paragraph (b) of this section prohibits except under certain named conditions (but not a permit) transportation of a less-than-carload shipment of overseas freight or any shipment of like traffic by motor truck or vessel to or within any named port area for storage or for delivery to an ocean carrier. It will be noted that paragraph (a) is directed to both a "person" and a "rail carrier" whereas paragraph (b) is directed to both a "person" and a "carrier".

Section 502.203 requires an ODT unit permit for a rail carload shipment of "export" government freight from points in the United States to or through the Dominion of Canada. This section is directed to both a "person" and a "rail carrier".

Section 502.204 requires an "ODT port storage forwarding permit" for any shipment of domestic or import freight of an aggregate weight of 20,000 pounds or more to or within port areas for storage for a government agency. This would apply to any mode of transportation.

Section 502.205 requires an ODT unit permit for a rail carload shipment to any interior storage areas in the United States designated by the Assistant Director in charge of the Railroad Transportation Department when such shipment is intended for reshipment from such interior storage area to a destination outside the United States. This provision is directed to both a "person" and a "rail carrier".

Administrative Order ODT 17A is being issued concurrently with this order.

Nothing in this general outline of the order should be construed as affecting its specific provisions.

The text of General Order ODT 16B follows:

Pursuant to Executive Orders 8989, as amended, and 9156, in order to make available railway cars and other transportation facilities for the preferential transportation of material of war, as contemplated by section 6 (8) of the Interstate Commerce Act, as amended; to assure the orderly and expeditious movement of materials and supplies of war; to coordinate domestic traffic movements with ocean shipping in order to avoid terminal congestion at port areas in the United States, and to expedite the movement of traffic, the attainment of which purposes is essential to the successful prosecution of the war, General Order

ODT 16A (9 F.R. 2749), shall be superseded, and, it is hereby ordered, that:

Sec.

- 502.200 Definitions.
- 502.201 Applicability.
- 502.202 Transportation and delivery of shipments of overseas freight to or within specified port areas.
- 502.203 Transportation of certain shipments by rail to or through the Dominion of Canada.
- 502.204 Transportation of shipments of government domestic or import freight to or within specified port areas for storage in public warehouses.
- 502.205 Transportation of carload shipments of export or overseas freight to specific interior storage areas.
- 502.206 Reconsignment restrictions.
- 502.207 Exemptions.
- 502.208 Issuance of special and general permits.
- 502.209 Procedures; delegations of authority.
- 502.210 Communications.

AUTHORITY: §§ 502.200 to 502.210, inclusive, issued under E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; and E.O. 9156, 7 F.R. 3349.

§ 502.200 *Definitions.* As used in this order (§§ 502.200 to 502.210, inclusive) or in any order, permit, or regulation issued hereunder, the term:

(a) "Person" means any individual, partnership, corporation, association, joint stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity;

(b) "Carrier" means any person who transports property;

(c) "Export freight" means any property which is intended for transportation from a point in the continental United States to a destination outside the continental United States;

(d) "Overseas freight" means any property which is intended for movement offshore by water from a port or place in the continental United States to a port or place outside the continental United States;

(e) "Commercial freight" means any export or overseas freight not shipped by or to a Government agency or on a United States Government bill of lading;

(f) "Import freight" means (1) any property which has moved by water from a port or place outside the continental United States to a port area within the continental United States and which has not been subsequently transported beyond such port area, or (2) any property which is transported by rail, on through billing, from a place outside the continental United States to a port area within the continental United States and is not intended for reshipment to a place outside the continental United States;

(g) "Domestic freight" means any property other than import freight which is transported to or within a port area in

the continental United States and is not intended for movement to a destination outside the continental United States;

(h) "Government agency" means any agency or department of the United States, including any corporation organized and controlled by the United States, and the Dairy Products Marketing Association;

(i) "ODT block release" means an authorization by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, to his authorized permit agents, covering the issuance of ODT unit permits for the movement of a specified quantity of freight;

(j) "ODT unit permit" means a permit issued by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, or his authorized permit agent, as evidence that the property covered by such ODT unit permit is within the aggregate authorization of a specified effective ODT block release;

(k) "ODT port storage forwarding permit" means a permit issued by the Director, Division of Storage, Office of Defense Transportation, or his authorized permit agent, authorizing the transportation of shipments of domestic or import freight to or within a port area in the continental United States for storage in a public warehouse for account of a government agency;

(l) "Public warehouse" means a warehouse or other place of storage the operator of which is engaged as a warehouseman in the business of storing goods therein for compensation;

(m) "Carload shipment" means a shipment of property moving by rail (1) in a quantity the weight of which is 20,000 pounds or more, or (2) in a quantity the weight of which is less than 20,000 pounds if transported by a rail carrier at a carload rate or rates and exclusively occupying a railway car when forwarded from point of origin;

(n) "Less-than-carload shipment" means a shipment of property moving by rail in a quantity the weight of which is less than 20,000 pounds and which, if exclusively occupying a railway car when forwarded from point of origin, is not transported by a rail carrier at a carload rate or rates;

(o) "Motor truck" means (1) a straight truck, (2) a combination truck-tractor and semi-trailer, (3) a full trailer, (4) or any combination thereof, or, (5) any other rubber-tired vehicle propelled by mechanical power, when used in the transportation of property;

(p) "Property" means anything, except passengers, capable of being transported by rail, motor truck, or water;

(q) "Port area" means any locality in the continental United States within which facilities are maintained for the interchange of property between ocean vessels and other transportation instrumentalities. A port area shall include both the switching and lighterage limits of the ports or places shown in Appen-

dix A and Appendix B of Administrative Order ODT 17A, or as such order may be amended, revised or reissued;

(r) "Interior storage area" means any storage area supplementary to a port area or range of port areas within the continental United States, as such interior storage areas may be defined from time to time in any administrative order issued by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, pursuant to the provisions of § 502.209 of this order;

(s) "W. S. A. forwarding authorization" means an authorization issued by the War Shipping Administrator or his duly authorized agent covering cargo subject to Directive 4, Revised (8 F.R. 1321), or as such directive may be further revised, amended, or reissued, as evidence that the shipment covered thereby is wanted at the port named by the date indicated therein, and that ocean cargo space therefor has been definitely allocated or committed;

(t) "Impedimenta" means baggage, supplies, and equipment of a military or naval organization or of the personnel thereof;

(u) "Continental United States" means the 48 states and the District of Columbia.

§ 502.201 *Applicability.* The provisions of this order shall be applicable to shipments of property to or within port or storage areas within the continental United States, and to or through the Dominion of Canada, but only in so far as the transportation takes place within the continental United States and is specifically made subject to the provisions of this order.

§ 502.202 *Transportation and delivery of shipments of overseas freight to or within specified port areas.* (a) No person shall offer for transportation to a rail carrier, and no rail carrier shall accept for transportation, or transport, any carload shipment of overseas freight to or within any port area named in Appendix A of Administrative Order ODT 17A, or as such order may be amended, revised or reissued, for storage within such port area or for delivery to an ocean carrier at such port area, unless there is outstanding an effective ODT unit permit authorizing the transportation of such shipment, and the number of such permit is endorsed upon, the shipping order, waybill, and other shipping documents covering such shipment;

(b) No person shall offer for transportation, and no carrier shall accept for transportation, or transport, to or within any port area named in Appendix A of Administrative Order ODT 17A, or as such order may be amended, revised or reissued, any less-than-carload shipment of overseas freight, or any shipment of overseas freight by motor truck or vessel for storage within such port area or for delivery to an ocean carrier

at such port area, unless such shipment (1) is consigned to an officer of the United States Army or Navy at a specified service installation or warehouse; or (2) is consigned to the War Shipping Administrator, and his forwarding authorization serial identification is shown on the shipping documents covering the inland transportation of such shipment and if by motor truck or vessel, only when such forwarding authorization specifically authorizes such mode of transportation; or (3) is consigned to a specific warehouse facility; or (4) is covered by a bona fide firm booking with the ocean carrier for the transportation of such shipment and the shipper so indicates on the shipping documents covering the inland transportation of such shipment.

§ 502.203 *Transportation of certain shipments by rail to or through the Dominion of Canada.* No person shall offer to a rail carrier for transportation, and no rail carrier shall accept for transportation, or transport, from any point in the continental United States, any carload shipment (a) which is consigned to a government agency and is destined to any point within the Dominion of Canada, (b) which is consigned by a government agency to, or is consigned to a government agency at, any port in the Dominion of Canada for export therefrom, or (c) which is consigned by a government agency or transported on a United States Government bill of lading to Churchill, Manitoba; Edmonton, Alberta; or any point on the line of the Northern Alberta Railways Company, unless there is outstanding an effective ODT unit permit authorizing the transportation of such shipment and the number of such permit is endorsed upon the shipping order, waybill, and other shipping documents covering such shipment.

§ 502.204 *Transportation of shipments of government domestic or import freight to or within specified port areas for storage in public warehouses.* No person shall offer any shipment of domestic or import freight of an aggregate weight of 20,000 pounds or more for transportation to or within any port area named in Appendix B of Administrative Order ODT 17A or as such order may be amended, revised, or reissued, when such shipment is intended for storage for account of a government agency in a public warehouse located within any such port area, unless the transportation of such shipment to such public warehouse within such port area has been authorized by an ODT port storage forwarding permit issued by the Director, Division of Storage, Office of Defense Transportation, or his authorized permit agent, and the number of such permit is endorsed upon the shipping order or other appropriate shipping document covering such shipment.

§ 502.205 *Transportation of carload shipments of export or overseas freight*

*to specific interior storage areas.* The Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, is hereby authorized to name and define in any administrative order issued pursuant to the provisions of § 502.209 of this order, specific interior storage areas in the continental United States to which carload shipments of export or overseas freight may not be transported for storage, unless the transportation of any such shipment to any such interior storage area has been authorized by the issuance of an ODT unit permit. No person shall offer for transportation, and no rail carrier shall accept for transportation, or transport, to any such interior storage area which may be hereafter named and defined in any such administrative order, any carload shipment intended for re-shipment from such interior storage area to a destination outside the continental United States, unless there is outstanding an effective ODT unit permit authorizing the transportation of such shipment to such interior storage area, and the number of such permit is endorsed upon the shipping order, waybill, and other shipping documents covering such shipment.

§ 502.206 *Reconsignment restrictions.* (a) Any shipment which is subject to the permit requirements of this order at the time it is offered for transportation, and which when reconsigned continues to be subject to such permit requirements, shall not be reconsigned to a point other than the original billed destination unless there is outstanding an effective ODT permit authorizing the transportation of such shipment to such new destination;

(b) Any shipment which is not subject to the permit requirements of this order at the time it is offered for transportation, but which, when reconsigned to a new destination becomes subject to such permit requirements, shall not be so reconsigned unless there is outstanding an effective ODT permit authorizing the transportation of such shipment to such new destination.

§ 502.207 *Exemptions.* This order shall not apply to any traffic which is exempted from its provisions by the provisions of any administrative order issued pursuant to § 502.209 of this order.

§ 502.208 *Issuance of special and general permits.* The provisions of this order shall be subject to any special permit issued by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, and to any general permit issued by the Office of Defense Transportation, to meet specific needs or exceptional circumstances, or to prevent undue hardships.

§ 502.209 *Procedures; delegations of authority.* (a) The Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport De-

partment, is hereby authorized and directed to issue such administrative orders as may be necessary to implement this order, including the establishment of procedures to be followed with respect to applications for and the issuance of ODT unit permits and ODT port storage forwarding permits. Said Assistant Director may issue ODT unit permits, and the Director, Division of Storage, Office of Defense Transportation, may issue ODT port storage forwarding permits, through such permit agents as have been delegated such authority in any such administrative order;

(b) In the issuance of ODT unit permits, the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, and his authorized permit agents, subject to his general supervision, are hereby authorized to designate in any such permit the route or routes, within the continental United States, over which the shipment or shipments covered by any such permit shall be transported. Failure of a shipper to observe the routing specified in any such permit will render such permit invalid.

§ 502.210 *Communications.* Communications concerning this order should refer to "General Order ODT 16B" and except as otherwise provided herein or in any administrative order issued pursuant to the provisions of § 502.209 of this order, should be addressed to the Office of Defense Transportation, Washington 25, D. C.

This General Order ODT 16B shall become effective September 12, 1944.

General Order ODT 16A (9 F.R. 2749), General Permit ODT 16A-1 (9 F.R. 2754), and General Permit ODT 16A-2 (9 F.R. 9362) are hereby revoked as of the effective date of this General Order ODT 16B.

Note: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-14037; Filed, Sept. 11, 1944; 1:17 p. m.]

[Administrative Order ODT 17A]

PART 503—ADMINISTRATION

PROCEDURES AND DELEGATIONS OF AUTHORITY  
UNDER GENERAL ORDER ODT 16B

Pursuant to § 502.209 of General Order ODT 16B, Administrative Order ODT 17, as amended (9 F.R. 2751, 3810, 9362), shall be superseded, and it is hereby ordered, that:

- Sec.  
 503.360 General provisions.  
 503.361 Delegation of authority to issue ODT unit permits.  
 503.362 Types of ODT unit permits; conditions.  
 503.363 Application for ODT unit permits.  
 503.364 Application for and issuance of ODT port storage forwarding permits covering shipments of government domestic freight.  
 503.365 Application for and issuance of ODT port storage forwarding permits covering shipments of government import freight; delegation of authority.  
 503.366 Exemptions.  
 503.367 Embargoes.

AUTHORITY: §§ 503.360 to 503.367, inclusive, issued under General Order ODT 16B.

§ 503.360 *General provisions.* General Order ODT 16B establishes permit requirements with respect to the transportation of (a) carload shipments of overseas freight to or within designated port areas in the continental United States whether for storage or for delivery to an ocean carrier; (b) certain carload shipments from points in the continental United States to or through the Dominion of Canada; and (c) shipments of domestic or import freight of an aggregate weight of 20,000 pounds or more, to or within designated port areas for storage in a public warehouse for account of a government agency. The port areas are named in Appendix A and Appendix B of this administrative order. Provision is made in § 502.205 of General Order ODT 16B for the establishment of permit requirements in connection with the transportation of carload shipments of export or overseas freight to interior storage areas in the continental United States as such interior storage areas may be named and defined in any administrative order issued pursuant to the provisions of such order. No such interior storage areas are named in this administrative order as now issued.

It is provided that shipments of export or overseas freight which are covered by the order shall be subject to "ODT unit permits". An ODT unit permit is defined in the order as "a permit issued by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, or his authorized permit agent, as evidence that the property covered by such ODT unit permit is within the aggregate authorization of a specified effective ODT block release." The issuance of ODT block releases by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, to his authorized permit agents will be based on applications received from the ocean cargo control agencies, viz., War Shipping Administration, as to (1) commercial overseas freight, and (2) overseas freight within the scope of the War Shipping Administrator's Directive 4, Revised

(8 F.R. 1321), or as such Directive may be further revised, amended or reissued; War Department, as to overseas freight for its own account; and Navy Department, as to overseas freight for its own account, setting forth the amount of cargo space which will be available from time to time for the transportation of overseas freight from port areas in the continental United States.

General Order ODT 16B provides that shipments of government domestic or import freight subject to its provisions are to move on "ODT port storage forwarding permits" to be issued by the Director, Division of Storage, Office of Defense Transportation, or his authorized permit agents. Procedures governing the application for and the issuance of ODT port storage forwarding permits are outlined in §§ 503.364 and 503.365 of this Administrative Order ODT 17A.

§ 503.361 *Delegation of authority to issue ODT unit permits.* (a) Subject to such restrictions, directions, and reporting requirements as are now or may be hereafter established by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, the following are hereby authorized to issue ODT unit permits:

(1) Transportation Division, Bureau of Supplies and Accounts, Navy Department, Washington, D. C., may issue requisite ODT unit permits covering the transportation of property originating at a point in the continental United States and consigned to the Navy Department or an officer representative thereof at any port area named in Appendix A hereof;

(2) Association of American Railroads, 30 Vesey Street, New York 7, New York, may issue requisite ODT unit permits covering consignments of commercial freight originating at a point in the continental United States or in Mexico and shipped to, moving within, or delivered at a port area in the continental United States named in Appendix A hereof;

(3) The Transport Controller, Dominion of Canada, Montreal, Quebec, may issue all requisite ODT unit permits covering shipments of overseas freight originating at any point in the Dominion of Canada and moving on through billing to a port area in the continental United States named in Appendix A hereof, subject to such restrictions as may be imposed by the Traffic Control Division, Transportation Corps, Army Service Forces, covering the transportation of such shipments within the continental United States, including the designating of routing within the continental United States, and also after clearance with the Association of American Railroads with respect to consignments of commercial freight subject to ODT unit permit requirements;

(4) The Traffic Control Division, Transportation Corps, Army Service Forces, Washington, D. C., may issue all other requisite ODT unit permits covering shipments of export or overseas freight which are subject to the provisions of General Order ODT 16B, or as such order may be amended, revised, or reissued;

(5) No ODT unit permit shall be issued covering shipments of overseas freight unless (1) the property covered by such permit is within the aggregate authorization of a specified effective ODT block release issued by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department, and (2) a "W. S. A. forwarding authorization" has been issued if the shipment is subject to such requirement pursuant to the provisions of the War Shipping Administrator's Directive 4, Revised, or as such Directive may be further revised, amended, or reissued. No ODT unit permit shall be issued covering the transportation of shipments of overseas freight to a named port area for storage therein unless arrangements have been made in advance of shipment for the storage of any such shipment immediately on its arrival at such port area. No ODT unit permit shall be issued covering shipments of export freight intended for shipment to or through the Dominion of Canada except on assurances from the Transport Controller, Dominion of Canada, that the transportation of any such shipment will not cause or contribute to traffic congestion or car detention within the Dominion of Canada.

§ 503.362 *Types of ODT unit permits; conditions.* All ODT unit permits issued shall carry identification comprised of two letters followed by six digits and one letter; for example, WE-2713-12-W. Construction of ODT unit permit numbers shall be governed by code requirements issued from time to time by the Assistant Director, Office of Defense Transportation, in charge of the Railroad Transport Department. Such permits shall be valid for such period of time as specified individually therein, shall cover only the kind and quantity of goods specified therein, and shall be subject to conditions stated therein, including routes named. ODT unit permits issued will be of the following types and will be subject to the additional conditions outlined below which conditions shall be binding on any person offering for transportation, accepting for transportation, transporting or delivering to an ocean carrier, a shipment covered by such permit:

(a) ODT unit permits authorizing the transportation of shipments of overseas freight from a point outside a port area to a named port area for delivery to an ocean carrier;

(b) ODT unit permits authorizing the transportation or delivery of shipments

of overseas freight originating in or currently within a named port area to an ocean carrier within such port area;

(c) ODT unit permits authorizing the transportation of shipments of overseas freight to or within a named port area for storage. Such permits do not authorize delivery to an ocean carrier. They will be valid only under the following conditions:

(1) That specified carrier or non-carrier storage space in such port area has been prearranged;

(2) That notwithstanding free time provisions of carrier's tariff shipper agrees on behalf of himself and the consignee that the carrier will receive instructions to deliver the property to such prearranged storage within 48 hours of receipt of carrier arrival notice by consignee, unless an ODT unit permit (as per (b) above) to deliver the property to an ocean carrier has previously been issued and is valid and effective;

(d) ODT unit permits covering the transportation of property to points within the Dominion of Canada. Such permits are valid only within the continental United States and property so transported when within the Dominion of Canada is subject to all requirements of the Transport Controller of the Dominion of Canada.

§ 503.363 *Application for ODT unit permits.* Application for the issuance of an ODT unit permit shall be made to the appropriate permit agent authorized to issue such permit pursuant to the provisions of § 503.361 hereof and shall contain such information as may be required from time to time by such permit agent, subject to the approval of the Bureau of the Budget, where such approval is required pursuant to the provisions of the Federal Reports Act of 1942.

§ 503.364 *Application for and issuance of ODT port storage forwarding permits covering shipments of government domestic freight.* Application for the issuance of an ODT port storage forwarding permit authorizing the offering of shipments of domestic freight of an aggregate weight of 20,000 pounds or more for transportation to or within a port area for storage in a public warehouse for account of a government agency, shall be made by the interested government agency to the Director, Division of Storage, Office of Defense Transportation, Washington 25, D. C. Such application shall be submitted on joint application and permit form ODT S-137 which has been prescribed by the Office of Defense Transportation and is reproduced as Appendix D hereof. When approved the document will constitute an ODT port storage forwarding permit authorizing the offering for transportation of the shipments described in such permit, subject to the conditions outlined in the permit.

§ 503.365 *Application for and issuance of ODT port storage forwarding*

No. 183—5

*permits covering shipments of government import freight; delegation of authority.* (a) Application for the issuance of an ODT port storage forwarding permit authorizing the offering of shipments of import freight of an aggregate weight of 20,000 pounds or more for transportation to or within a port area for storage in a public warehouse for account of a government agency shall be made by the interested government agency to the appropriate port storage officer named in Appendix C hereof, on joint application and permit form ODT S-138 which has been prescribed by the Office of Defense Transportation and is reproduced as Appendix E hereof. When such application has been approved by an appropriate port storage officer it will constitute an ODT port storage forwarding permit authorizing the offering for transportation of the shipments described in such permit, subject to the conditions outlined in the permit.

(b) Subject to the general supervision of the Director, Division of Storage, Office of Defense Transportation, each port storage officer named in Appendix C hereof is hereby authorized to issue, in his discretion, ODT port storage forwarding permits authorizing the offering of shipments of government import freight for transportation to or within any port area shown opposite his name in Appendix C hereof to public warehouses located within such port area, or for transportation from such port area to public warehouses located in any other port shown in Appendix C hereof.

§ 503.366 *Exemptions.* The provisions of General Order ODT 16B shall not apply to:

(a) Grain in bulk, soybeans, flaxseed and malt moving to an elevator located at any port named in Appendix A or Appendix B hereof when the carrier has made prior inquiry and ascertained that adequate storage or handling facilities not subject to prior commitment are available at such elevator; or moving from such elevators direct to ocean vessels by gravity, barge or floating elevator;

(b) Impediments moving in conjunction with military or naval forces to a point of embarkation;

(c) Petroleum or petroleum products in bulk, in tank cars, when to be unloaded from cars before overseas movement.

§ 503.367 *Embargoes.* Rail carriers shall issue such embargoes as may be necessary to insure compliance with the provisions of General Order ODT 16B and any administrative order issued pursuant thereto.

This Administrative Order ODT 17A shall become effective on September 12, 1944.

Administrative Order ODT 17, as amended (9 F.R. 2751, 3810, 9362), is hereby revoked as of the effective date of this Administrative Order ODT 17A.

NOTE: The recording and reporting requirements of this order have been approved by

the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 12th day of September 1944.

E. J. CONNORS,  
Assistant Director,  
Railroad Transport Department,  
Office of Defense Transportation.

APPENDIX A—PORT AREAS TO OR WITHIN WHICH, SHIPMENTS OF "OVERSEAS FREIGHT" ARE SUBJECT TO ODT UNIT PERMIT REQUIREMENTS

Alabama: Mobile (including Theodore).

California: Los Angeles and Los Angeles Port Area (including the City of Los Angeles, Los Angeles Harbor, and Long Beach, and points located between the City of Los Angeles and Los Angeles Harbor or Long Beach on the direct line of any rail carrier), Port Hueneme, San Diego, San Francisco and San Francisco Bay Area (including Alameda, Benicia, Berkeley, Mare Island, Oakland, Port Chicago, Redwood City, Richmond), and Stockton.

Connecticut: New Haven, and New London.

Delaware: Wilmington.

Florida: Jacksonville, Miami, Palm Beach, Pensacola, Port Everglades, Port Tampa, and Tampa.

Georgia: Savannah.

Louisiana: Belle Chasse, Braithwaite, Lake Charles, and New Orleans.

Maine: Portland, and Seaside.

Maryland: Baltimore.

Massachusetts: Boston.

Mississippi: Gulfport.

New Jersey: Camden, and New York Harbor.

New York: New York Harbor, and Poughkeepsie.

North Carolina: Wilmington.

Oregon: Astoria, Ecoda, Linnton, and Portland.

Pennsylvania: Philadelphia (including Artificial Island and Hog Island).

Rhode Island: Davisville-Quonset Point, Portsmouth, and Providence.

South Carolina: Charleston.

Texas: Beaumont, Corpus Christi, Galveston, Houston, Port Arthur, and Texas City.

Virginia: Hampton Roads (including Norfolk, Newport News, Oyster Point, and Portsmouth).

Washington: Aberdeen, Anacortes, Bellingham, Everett, Kalama, Longview, Mukilteo, Olympia, Seattle, Tacoma, Tulalip, and Vancouver.

APPENDIX B—PORT AREAS TO OR WITHIN WHICH, SHIPMENTS OF GOVERNMENT DOMESTIC OR IMPORT FREIGHT INTENDED FOR STORAGE IN PUBLIC WAREHOUSES ARE SUBJECT TO ODT PORT STORAGE FORWARDING PERMIT REQUIREMENTS

Baltimore, Maryland; Bellingham, Washington; Boston, Massachusetts; Camden, New Jersey; Charleston, South Carolina; Everett, Washington; Galveston, Texas; Houston, Texas; Jacksonville, Florida; Los Angeles, California; Mobile, Alabama; New Orleans, Louisiana; Newport News, Virginia; New York Harbor, New York-New Jersey; Norfolk, Virginia; Oakland, California; Olympia, Washington; Pensacola, Florida; Philadelphia, Pennsylvania; Portland, Oregon; Portsmouth, Virginia; Richmond, California; San Francisco, California; Savannah, Georgia; Seattle, Washington; Tacoma, Washington; Tampa, Florida; Vancouver, Washington; Wilmington, Delaware, and Wilmington, North Carolina.



APPENDIX C—PORT STORAGE OFFICERS AUTHORIZED TO ISSUE ODT PORT STORAGE FORWARDING PERMITS COVERING GOVERNMENT IMPORT FREIGHT, AND PORTS OVER WHICH EACH DESIGNATED PORT STORAGE OFFICER WILL HAVE JURISDICTION IN THE MATTER OF ISSUANCE OF SUCH PERMITS

Port of arrival	Port Storage Officer authorized to issue Port Storage Forwarding Permits	Address
Boston, Mass.	William F. Barwell	Room 627, Boston Chamber of Commerce Building, Boston 10, Mass.
New York Harbor, New York	Joseph E. Bishop	Room 2166, 10 Rector Street, New York 6, N. Y.
New Jersey		
Philadelphia, Pa.	Donald Jenks	(Room 1260, Suburban Station Building, Philadelphia 3, Pa.
Camden, N. J.	James B. Sweeney	Room 723, Munsey Building, Baltimore 2, Md.
Washington, D.C.	George Schamberger	Room 310 Flat Iron Building, Norfolk 10, Va.
Baltimore, Md.	John P. Imley	Room 48, Citizens Trust Bldg., Savannah, Ga.
Newport News, Va.	Earl L. Coons	Room 712, Wallace S. Building, Tampa 2, Fla.
Richmond, Va.	Edwin R. Brown	Room 533, Federal Building, Mobile 7, Ala.
Washington, D.C.	John M. Fush	Room 1852, Canal Bank Building, New Orleans 12, La.
San Francisco, Calif.	J. Gilbert S. Bourne	Room 707, Electric Building, Houston, Tex.
Oakland, Calif.	Morgan Huntoon	Room 433, 1031 South Broadway, Los Angeles 15, Calif.
San Francisco, Calif.	William C. Juergens	(Room 453, 1355 Market Street, San Francisco 3, Calif.
Portland, Oreg.	Daniel J. McGarity	(Room 1202, American Bank Building, Portland 5, Oreg.
Seattle, Wash.	Carl R. Elander	(Room 5523, White-Henry-Stuart Building, Seattle 1, Wash.
Everett, Wash.		
Olympia, Wash.		
Tacoma, Wash.		

Form ODT S-137

APPENDIX D

OFFICE OF DEFENSE TRANSPORTATION  
DIVISION OF STORAGE

PORT STORAGE FORWARDING PERMIT NO. \_\_\_\_\_ (Permit number must be shown on shipping order or other appropriate shipping document)

GOVERNMENT  
DOMESTIC  
FREIGHT

RESTRICTED

This document contains information affecting the national defense of the United States within the meaning of the Espionage Act, 50 U. S. C. 31 and 32, as amended. Its transmission to or the revelation of its contents in any manner to an unauthorized person is prohibited by law.

This joint application and permit form is authorized by General Order ODT 16, as amended, or reissued, and is to be used by U. S. Government agencies in applying to the Office of Defense Transportation for authority to store in a public warehouse or truckload shipments of domestic freight for transportation to or within a port area for storage in a public warehouse. When approved, this document will constitute a Port Storage Forwarding Permit, authorizing the offering for transportation of the shipments described herein, subject to the conditions outlined below:

Number and kind of packages	Description of goods	Estimated gross weight
	Total number of carloads -----, or truckloads -----	

1. Requesting agency and address -----
2. Consignee and address -----
3. Port of arrival -----
4. Freight -----
5. Destination of freight at port -----
6. Name and address of public warehouse where freight is to be stored -----
7. Name and address of public warehouse where freight is to be stored -----
8. Maximum quantity to be delivered to storage daily: Carloads ----- Truckloads -----
9. Estimated period of time freight is to remain in storage -----
10. Type of delivering carrier (check): Rail ----- Truck ----- Water -----

Remarks -----

Permit issued ----- (Date) ----- Permit to forward to storage expires ----- (Date) -----

Approved: -----  
Director, Division of Storage, Washington 25, D. C.

Form ODT S-138

Budget Bureau No. 05—R117.1  
Approval expires Feb. 16, 1945

APPENDIX E

OFFICE OF DEFENSE TRANSPORTATION

DIVISION OF STORAGE

PORT STORAGE FORWARDING PERMIT NO. \_\_\_\_\_

(Permit number must be shown on shipping order or other appropriate shipping document)

GOVERNMENT  
IMPORT  
FREIGHT

RESTRICTED

This document contains information affecting the national defense of the United States within the meaning of the Espionage Act, 50 U. S. C. 31 and 32, as amended. Its transmission to or the revelation of its contents in any manner to an unauthorized person is prohibited by law.

This joint application and permit form is authorized by General Order ODT 16, as amended, or reissued, and is to be used by U. S. Government agencies in applying to the Office of Defense Transportation for authority to store in a public warehouse or truckload shipments of import freight for transportation to or within a port area for storage in a public warehouse. When approved, this document will constitute a Port Storage Forwarding Permit, authorizing the offering for transportation of the shipments described herein, subject to the conditions outlined below:

Number and kind of packages	Description of goods	Estimated gross weight
	Total number of carloads -----, or truckloads -----	

1. Requesting agency and address -----
2. Consignee and address -----
3. Port of arrival -----
4. Approximate date storage required -----
5. Name and address of public warehouse where freight is to be stored -----
6. Maximum quantity to be delivered to storage daily: Carloads ----- Truckloads -----
7. Estimated period of time freight is to remain in storage -----
8. If any portion of the freight described above is to be reexported, state the amount ----- and the approximate date of reexportation -----
9. State whether freight is to be stored under customs bond (check): (Yes) ----- (No) -----
10. Type of delivering carrier (check): Rail ----- Truck ----- Water -----

Remarks -----

Permit issued ----- (Date) ----- Permit to forward to storage expires ----- (Date) -----

Approved: -----  
(Port storage officer)

(City) ----- (State) -----

[F. R. Doc. 44-14036; Filed, Sept. 11, 1944; 1:17 p. m.]

[General Permit ODT 16B-1]

## PART 522—DIRECTION OF TRAFFIC MOVEMENT; EXCEPTIONS AND PERMITS

FREIGHT SHIPMENTS TO OR WITHIN PORT OR STORAGE AREAS IN THE UNITED STATES AND TO OR THROUGH THE DOMINION OF CANADA

Pursuant to the provisions of § 502.208 of General Order ODT 16B, it is hereby authorized that:

§ 522.657 *Transportation of certain freight traffic under permit.* Under the conditions and to the extent hereinafter set forth, any person may offer for transportation, and any rail carrier may accept for transportation, and transport, to or within any port area named in Appendix A to Administrative Order ODT 17A, or as such order may be amended, revised, or reissued, without observing the permit requirements of General Order ODT 16B:

(a) Carload shipments of overseas freight consisting of tin plate when such freight is not to be reshipped by water from such port area to a port or place outside of the continental United States, in the form in which it is shipped to, or within such port area: *Provided, however,* That the bill of lading or other shipping document covering the transportation shall contain a shipper's certification as follows: "Material not to be exported in present form";

(b) Carload shipments of overseas freight consisting of tin cans to or within any port area if such shipments are to be loaded aboard a floating cannery at such port area: *Provided, however,* That the bill of lading or other shipping document covering the transportation shall contain a shipper's certification as follows: "For loading aboard a floating cannery";

(c) Carload shipments of coal, not earmarked for export, but intended for loading in bulk in an ocean vessel at a port area. Transfer of such traffic to an ocean vessel for movement to a point outside the continental United States shall not, however, be made without the requisite permit.

(d) Carload shipments of lard in bulk, in tank cars, to Harvey, Louisiana. Such shipments shall not, however, be reconsigned nor shipped from Harvey to export vessels without the requisite permit.

This General Permit ODT 16B-1 shall become effective September 12, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; General Order ODT 16B)

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 44-14038; Filed, Sept. 11, 1944; 1:16 p. m.]

## Notices

## INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 493]

## RECONSIGNMENT OF CARROTS AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, September 8, 1944, by Baldwin Pope Marketing Company, of car SFRD 22009, carrots, now on the Missouri Pacific Railroad, to Baldwin Pope Marketing Company, Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of September, 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-14055; Filed, Sept. 12, 1944; 10:45 a. m.]

[S. O. 70-A, Special Permit 494]

## RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 8, 1944, by Bacon Brothers of car NRC 10187, potatoes, now on the Wood Street Terminal (C&NW Railroad) to West Food Stores, Petersburg, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the gen-

eral public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of September 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-14056; Filed, Sept. 12, 1944; 10:45 a. m.]

[S. O. 70-A, Special Permit 495]

## RECONSIGNMENT OF CAULIFLOWER AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 8, 1944, by M. Lapidus & Son of car ART 21076, cauliflower, now on the Wabash Railroad, to Chas. Taxin Company, Philadelphia, Pennsylvania; of car ART 24696, cauliflower, now on the Wabash Railroad, to Sanzone Talmicano Company, Cincinnati, Ohio; of cars PFE 93444 and 37333, cantaloupes, now on the Burlington Railroad, to Taccini & Sallach, Inc., New York, New York. The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of September 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-14057; Filed, Sept. 12, 1944; 10:46 a. m.]

[S. O. 70-A, Special Permit 496]

## RECONSIGNMENT OF CANTALOUPE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois,

September 8, 1944, by Chas. Abbate Company, of car PFE 97056, cantaloupes, now on the Chicago Produce Terminal, to Ben B. Schwartz, Detroit, Michigan, (P. M.), account railroad error in transporting car to Chicago when it was billed to stop at Minneapolis, Minnesota.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of September 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-14058; Filed, Sept. 12, 1944;  
10:46 a. m.]

[S. O. 70-A, Special Permit 497]

#### RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, September 8, 1944, by Bacon Brothers of car NRC 17102, potatoes, now on the Wood Street Terminal to Verona Fruit Company, Ottawa, Illinois (CB&Q).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of September 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-14059; Filed, Sept. 12, 1944;  
10:46 a. m.]

[Rev. S. O. 226, 2d Amended Gen. Permit]

#### REICING OF FRESH FRUITS OR VEGETABLES AT DESIGNATED POINTS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 226 of August 24, 1944 (9 F.R. 10429), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 226 insofar as it applies to the reicing of fresh fruits or fresh or green vegetables, as defined therein, at Chicago, Peoria or East St. Louis, Illinois, St. Louis, Missouri, or Pittsburgh, Pennsylvania.

This general permit shall become effective at 6:00 p. m., September 9, 1944, and shall apply to all cars billed or rolling on or after that date.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of September 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-14060; Filed, Sept. 12, 1944;  
10:46 a. m.]

#### WAR FOOD ADMINISTRATION.

##### DESIGNATION OF PERSONS TO HOLD HEARINGS, TO SIGN AND ISSUE SUBPOENAS, AND TO ADMINISTER OATHS OR AFFIRMATIONS

The names of Ariel L. Crowley and Paul K. Cooney are hereby added to the list of persons appearing in paragraph (a) of the "Designation of Persons to hold Hearings, to Sign and Issue Subpoenas, and to Administer Oaths or Affirmations", issued by the Secretary of Agriculture and the Assistant War Food Administrator on October 25, 1943 (8 F.R. 14592), and the said Ariel L. Crowley and Paul K. Cooney are authorized to perform any acts and to exercise any powers specified in such designation.

Done at Washington, D. C., this 12th day of September 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.  
CHARLES F. BRANNAN,  
Acting Secretary of Agriculture.

[F. R. Doc. 44-14061; Filed, Sept. 12, 1944;  
11:22 a. m.]

#### WAR SHIPPING ADMINISTRATION.

##### "DASH II"

##### VESSEL OWNERSHIP DETERMINATION

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on August 2, 1942 title to the vessel "Dash II" (241212) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. \* \* \*

and

Whereas no portion of just compensation for said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: September 11, 1944.

[SEAL]

E. S. LAND,  
Administrator.

[F. R. Doc. 44-14052; Filed, Sept. 13, 1944;  
10:43 a. m.]

## OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 2-8]

## COMMON CARRIERS

## SUBSTITUTION OF MOTOR VEHICLE FOR RAIL PASSENGER SERVICE

Upon consideration of the application for authority to substitute motor vehicle service for certain railroad passenger service filed with this Office by the Union Pacific Railroad Company, as contemplated by General Order ODT 2 (7 F.R. 2952), and good cause appearing therefor,

1. Conditioned upon compliance with paragraph 2 herein, the Union Pacific Railroad Company is authorized to substitute motor vehicle bus service between Lund, Utah and Cedar City, Utah, to be operated by the Interstate Transit Lines, a subsidiary of the Union Pacific Railroad Company, for the passenger, mail, express and baggage train service now operated as trains numbered 529 and 531 from Lund to Cedar City and as trains numbered 530 and 532 from Cedar City to Lund.

2. The Union Pacific Railroad Company and the Interstate Transit Lines, if and to the extent required by law, shall apply for and obtain from the appropriate regulatory bodies authority to suspend such rail service and to institute the motor vehicle bus service which is to be conducted, and if and to the extent required by law, both carriers shall file with the appropriate regulatory bodies, and publish in accordance with law, and continue in effect until further notice, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory bodies for special permission for such tariffs or supplements to become effective on one day's notice.

3. Communications concerning this order should refer to Supplementary Order ODT 2-8 and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

4. This order shall become effective October 1, 1944.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 44-14034; Filed, Sept. 11, 1944;  
1:18 p. m.]

[Supp. Order ODT 3, Rev. 311]

## COMMON CARRIERS

## COORDINATED OPERATIONS BETWEEN POINTS IN CONNECTICUT, MASSACHUSETTS AND RHODE ISLAND

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named

in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6773), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and

<sup>1</sup> Filed as part of the original document.

shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

## APPENDIX 1

Malkin Motor Freight Co. (a corporation),  
Cambridge, Mass.

Superior Motor Transportation Co., Inc.,  
Cambridge, Mass.

Bay State Motor Express Co. (a corporation),  
Cambridge, Mass.

[F. R. Doc. 44-14027; Filed, Sept. 11, 1944;  
1:18 p. m.]

[Supp. Order ODT 3, Rev. 316]

## COMMON CARRIERS

## COORDINATED OPERATIONS BETWEEN MEMPHIS, TENN. AND GRENADA, MISS.

Upon consideration of a plan for joint action filed with the Office of Defense

Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed

by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C.; this 12th day of September 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

#### APPENDIX 1

David C. Hall, doing business as D. C. Hall Motor Transportation, 409 East 7th Street, Fort Worth, Tex.

M. R. Rutherford and J. E. Wagoner, doing business as Mayers-National Truck Line (Lessees and Operators of William B. Mayers, doing business as Mayers-National Truck Line), 132 East Iowa, Memphis, Tenn

[F. R. Doc. 44-14028; Filed, Sept. 11, 1944; 1:19 p. m.]

[Supp. Order ODT 3, Rev. 322]

#### COMMON CARRIERS

#### COORDINATED OPERATIONS IN MASSACHUSETTS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as

amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

<sup>1</sup> Filed as part of the original document.



5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

#### APPENDIX 1

Edward R. Dysart, doing business as Dysart's Transportation, Bangor, Maine.  
Peerless Motor Express, Inc., Holbrook, Mass.

[F. R. Doc. 44-14029; Filed, Sept. 11, 1944; 1:20 p. m.]

[Supp. Order ODT 3, Rev. 324]

#### COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ALBANY, N. Y., AND NEW YORK, N. Y.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in

order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

#### APPENDIX 1

John Vogel, Inc., 11 Pruyn St., Albany, N. Y.  
Peter Mesick, J. Peter Mesick, and Benjamin S. Mesick, doing business as Mesick Trucking Co., Claverack, N. Y.

[F. R. Doc. 44-14030; Filed, Sept. 11, 1944; 1:19 p. m.]

[Supp. Order ODT 3, Rev. 326]

#### COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CHICAGO, ILL., AND WATERLOO, IOWA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947, 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful

<sup>1</sup> Filed as part of the original document.

prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and

the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

#### APPENDIX 1

McCoy Truck Lines, Inc., Waterloo, Iowa.  
Takin Bros. Freight Lines, Inc., Waterloo, Iowa.

[F. R. Doc. 44-14026; Filed, Sept. 11, 1944;  
1:18 p. m.]

[Supp. Order ODT 3, Rev. 327]

#### COMMON CARRIERS

#### COORDINATED OPERATIONS IN ILLINOIS, INDIANA AND KENTUCKY

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,<sup>\*</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

<sup>\*</sup>Filed as part of the original document.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

#### APPENDIX 1

Fred Bonifield, Alfred Bonifield and Reuben Bonifield, doing business as Bonifield Brothers Truck Lines, Metropolis, Ill.

L. A. Tucker Truck Lines, Inc., 1451 Independence Avenue, Cape Girardeau, Mo.

[F. R. Doc. 44-14031; Filed, Sept. 11, 1944; 1:20 p. m.]

- [Supp. Order ODT 6A-21, Correction]

#### COMMON CARRIERS

COORDINATED OPERATIONS WITHIN ALBANY, N. Y., AND ADJACENT MUNICIPALITIES

Supplementary Order ODT 6A-21 is hereby corrected by substituting Anson J. Hart, John J. Hart, and George Hart, doing business as Hart's Express, in lieu of Anson J. Hart, doing business as Hart's Express, in Appendix 1 to such order.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 44-14035; Filed, Sept. 11, 1944; 1:17 p. m.]

[Supp. Order ODT 6A-45]

#### COMMON CARRIERS

COORDINATED OPERATIONS IN LUBBOCK, TEX.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment

of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-45" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

#### APPENDIX

Sunset Motor Lines, Inc. (a corporation), 705 W. Washington, San Angelo, Tex.  
Merchants Fast Motor Lines, Inc. (a corporation), Fort Worth, Tex.

[F. R. Doc. 44-14032; Filed, Sept. 11, 1944; 1:20 p. m.]

[Supp. Order ODT 6A-47]

#### COMMON CARRIERS

COORDINATED OPERATIONS IN NEW YORK, N. Y.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a di-

<sup>1</sup> Filed as part of the original document.  
No. 183—6

version, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-47" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, D. C.

This order shall become effective September 16, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of September 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

#### APPENDIX 1

Cambels Trucking Company, Inc., 139 33rd St., Brooklyn, N. Y.  
W. A. Brodie, Inc., 224 48th St., Brooklyn, N. Y.

Peter Vetri, doing business as Vetri Trucking Co., 271 40th St., Brooklyn, N. Y.  
Mohrien Trucking Corporation, 161 84th St., Brooklyn, N. Y.

Charles Nichols, 20 14th St., Brooklyn, N. Y.

[F. R. Doc. 44-14033; Filed, Sept. 11, 1944; 1:19 p. m.]

## OFFICE OF PRICE ADMINISTRATION.

BLAIR CITY COAL CO., ET AL.

[MPR 120, Order 987]

### ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications, and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is

issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.210 and all other provisions of Maximum Price Regulation No. 120.

BLAIR CITY COAL CO., PINEVILLE, KY., BLAIR CITY MINE, ELKHORN No. 3 SEAM, MINE INDEX No. 7078, PINE COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: PINEVILLE, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5

	Size group Nos.													
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21
Price classification.....	K	K	K	K	H	H	G	E	O	O	D	G	G	G
Rail shipments and railroad fuel.....	365	360	350	350	345	335	315	315	315	370	300	295	235	230
Truck shipment.....	380	360	335	335	320	295	260	255	-----	-----	-----	-----	-----	-----

BROWN-McCLURE COAL CO., WHITESBURG, KY., BROWN-McCLURE MINE, HAZARD No. 4 SEAM, MINE INDEX No. 7133, LETCHER COUNTY, KY., SUB-DISTRICT 3, RAIL SHIPPING POINT: BELCRAFT, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5

	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Price classification.....	M	M	M	M	K	K	J	G	E	G	D	K	K	K
Rail shipments and railroad fuel.....	350	350	345	345	345	335	315	310	310	345	300	295	230	230
Truck shipment.....	380	360	335	335	320	295	260	255	-----	-----	-----	-----	-----	-----

CONSOLIDATION COAL CO., 333 N MICHIGAN AVE., CHICAGO (1), ILL., CONSOLIDATION STRIP MINE, ELKHORN No. 3 SEAM, MINE INDEX No. 7178, LETCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: JENKINS, KY., F. O. G. 61, STRIP MINE, MAXIMUM TRUCK PRICE GROUP No. 2

	H	H	H	H	F	F	E	E	O	O	A	D	D	D
Price classification.....	H	H	H	H	F	F	E	E	O	O	A	D	D	D
Rail shipments and railroad fuel.....	380	375	360	360	355	340	320	315	315	370	305	300	200	300
Truck shipment.....	415	395	350	365	330	305	260	255	-----	-----	-----	-----	-----	-----

WALTER CASTLE, STAMBAUGH, KY., CASTLE MINE, MILLERS CREEK SEAM, MINE INDEX No. 7162, JOHNSON COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: FAINTSVILLE, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 2

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22
Price classification.....	D	D	D	D	E	E	E	E	O	O	A	G	G	G	L
Rail shipments and railroad fuel.....	405	395	395	380	370	340	320	315	315	370	305	295	235	230	210
Truck shipment.....	415	395	350	365	330	305	260	255	-----	-----	-----	-----	-----	-----	-----

DRY FORK COAL CO., WILLARD, KY., DRY FORK MINE, No. 7 SEAM, MINE INDEX No. 1148, LAWRENCE COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: HITCHES, KY., F. O. G. 61, DEEP MINE

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	
Price classification....	M.	M	M	M	K	K	J	G	E	G	F	L	L	L	
Rail shipments and railroad fuel.....	350	350	345	345	345	335	315	310	310	345	295	285	280	250	
Truck shipment <sup>1</sup> .....	380	360	335	335	320	295	260	255	-----	-----	-----	-----	-----	-----	

<sup>1</sup>Previously established.

NANCY ELKHORN COAL CO., MINNIE, KY., AKERS MINE, ELKHORN 2 SEAM, MINE INDEX No. 7141, FLOYD COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: DRIFT, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3.

Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	11-15-17	18	19	20-21
Price classification.....	H	H	H	H	H	H	G	E	O	E	O	G	G	L
Rail shipments and railroad fuel.....	380	375	360	350	345	335	315	315	315	370	300	295	285	240
Truck shipment.....	405	385	350	350	350	320	200	255	-----	-----	-----	-----	-----	-----

NORTON COAL CO., INC. (W. J. WILLIAMS AND G. O. McCALL, RECS.) NORTON, VA., BEAR SEAM STRIP MINE, BEAR SEAM, MINE INDEX NO. 710, WISE COUNTY, VA., SUB-DISTRICT 7, RAIL SHIPPING POINT: NORTON, VA., T. O. G. 30, STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

NORTON COAL CO., INC. (W. J. WILKES AND G. O. MCGILL, RECS.), NORTON, VA., BLAIR BEAM STRIP MINE, BLAIR COUNTY, KY., SUB-DISTRICT 7, RAIL SHIPPING POINT: NORTON, VA., F. O. G. 30, STRIP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21
Price classification...	O	O	O	O	K	K	J	F	O	E	D	O	G	G
Rail shipments and railroad fuel.....	345	340	325	325	345	335	315	315	315	370	300	295	285	250
Truck shipment.....	350	350	335	335	320	295	250	255						

PACKARD MINING CO., WILLIAMSBURG, KY., No. 2 MINE, VANDERPOOL SEAM, MINE INDEX No. 7167, WHITLEY COUNTY, KY., SUB-DISTRICT 6, RAIL SHIPPING POINT: SAVOY, KY., F. O. G. 111, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

	R	R	R	R	M	M	L	K	J	M	G	O	O
Price classification...	345	340	335	335	335	335	325	310	305	310	310	290	275
Rail shipments and railroad fuel.....	345	340	335	335	335	335	325	310	310	310	310	290	275
Truck shipment.....	350	350	335	335	335	325	250	255	.....	.....	.....	.....	.....
PARROQUE COAL CO., BLUEFIELD, W. VA., PARROQUE MINE, BIG EAGLE SPRAY, MINE INDEX NO. 7153, MORGAN COUNTY, W. VA., SUB-DISTRICT 8, RAIL SHIPPING POINT: MONROE, W. VA., F. O. G. 130, DUFF MINE, MAXIMUM TONNAGE PRICE GROUP NO. 4													

PAYCOCK COAL CO., BLUEFIELD, W. VA., PATCOCK MINE, BIG EAGLE SEAM, MINE INDEX No. 7169, Mingo County, W. Va., SUB-DISTRICT 8, RAIL SHIPPING POINT: MOHAWT, W. Va., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 4.

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	11-15-17	18	19	20-21	
Price classification...	K	K	K	K	K	K	E	D	D	O	E	A	E	E	
Rail shipments and railroad fuel.....	305	300	320	320	320	320	310	325	315	370	305	295	290	250	
Truck shipment.....	300	300	310	310	310	310	305	250	255						

POUND MINE COAL CO., CORNELL, KY., POUND MINE, HAZARD No. 4 SEAM, MINE INDEX No. 7137, BERRY COUNTY, KY., SUB-DISTRICT 3, RAIL SHIPPING POINT: VERN, KY., F. O. G. 109, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	11-15-17	18	19	20-21		
Price classification...	K	K	K	K	K	K	J	J	II	G	E	G	D	K	K	K
Rail shipments and railroad fuel.....	305	310	320	320	320	320	315	315	315	310	310	315	300	295	290	290
Truck shipment.....	300	300	310	310	310	310	305	250	255							

THE POWELLTON COAL CO., GUARANTY BANK BLDG., HUNTINGTON, W. VA., No. 1 MINE, POWELLTON SEAM, MINE INDEX No. 7160, LOUDON COUNTY, W. VA., SUB-DISTRICT 6, RAIL SHIPPING POINT: LANDVILLE, W. VA., F. O. G. 160, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 6.

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	11-15-17	18	19	20-21	
Price classification...	Q	Q	Q	Q	Q	Q	I	I	K	F	D	F	A	D	
Rail shipments and railroad fuel.....	330	324	320	320	320	320	320	310	315	315	345	305	300	260	
Truck shipment.....	330	330	335	335	335	335	320	250	255						

PREMIUM COALS, INC., PREMIER, KY., HAZARD SEAM, MINE, MINE INDEX No. 7173, LETCHER COUNTY, KY., SUB-DISTRICT 3, RAIL SHIPPING POINT: PREMIER, KY., F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 6.

	M	M	M	M	M	K	K	J	G	F	G	D	K	K	F
Rice classification...	320	320	345	345	345	345	345	315	310	310	345	300	295	290	290
all shipments and															
railroad fuel.....	320	320	345	345	345	345	345	315	310	310	345	300	295	290	290
Truck shipment.....	350	350	335	335	335	320	285	290	255						

R. O. ELY & SONS, MIDDLESBORO, KY., CURTIS MINE, STRAY SEAM, MINE INDEX No. 7139, BELL COUNTY, KY., SUB-DISTRICT 6, RAIL SHIPPING POINT: GLENN, KY., F. O. G. 113, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3.

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	
Price classification...	II	II	II	II	F	F	E	E	O	E	D	K	K	K	
Rail shipments and railroad fuel.....	305	300	375	375	370	355	335	330	330	335	315	300	295	205	
Truck shipment.....	405	385	350	350	320	300	200	255	.....	.....	.....	.....	.....	.....	

ELY & WALLACE, 924 EAST CUMBERLAND AVE., MIDDLESBORO, KY., RANDALL MINE, LOWER HIGGINS SEAM, MINE INDEX No. 7140, BELL COUNTY, KY., SUB-DISTRICT 6, RAIL SHIPPING POINT: GLENN, KY., F. O. G. 113, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3.

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	11-15-17	18	19	20-21	
Price classification...	II	II	II	II	II	II	II	II	II	II	II	II	II	II	
Rail shipments and railroad fuel.....	305	300	375	375	370	355	335	330	330	335	315	300	295	205	
Truck shipment.....	405	385	350	350	350	320	200	255							

W. L. FIELDS, LOOKOUT, KY., FIELDS MINE, UPPER ELKHORN SEAM, MINE INDEX No. 7036, FIFE COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: HELLER, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

No. 5															
Price classification...	K	K	K	K	K	K	II	II	G	E	O	O	D	G	G
Rail shipments and railroad fuel.....	305	300	320	320	320	320	315	315	315	315	370	300	295	285	220
Truck shipment.....	350	350	335	335	335	335	320	255	250	255	.....	.....	.....	.....	.....

NOTE: The Maximum Prices established by this order include all adjustments authorized by amendment No. 115 to Maximum Price Regulation No. 120, effective August 10, 1944.

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 568; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Dec. 44-14016; Filed, Sept. 11, 1944; 11:54 a. m.]

(NPR 120, Order 938)

NANCY ELKHORN COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (1) of Maximum Price Regulation No. 120, it is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and

the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.210 and all other provisions of Maximum Price Regulation No. 120.



DORSIE PRICE, ROUTE 1, BOX 205, MIDDLESBORO, KY., PRICE MINE, STRAY SEAM, MINE INDEX No. 7143, BELL COUNTY, KY., SUB-DISTRICT 8, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3

	Size group Nos.							
	1	2	3	4	5	6	7	8
Truck shipment.....	405	385	350	350	320	300	260	255

NOTE: The maximum prices established by this order include all adjustments authorized by Amendment No. 115 to Maximum Price Regulation No. 120 effective August 16, 1944.

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14016; Filed Sept. 11, 1944;  
11:53 a. m.]

[MPR 120, Order 989]

BEACON FUEL CO., ET AL.

#### ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATION

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, it is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classification of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

BEACON FUEL CO., 417 BLVD. OF ALLIES, PITTSBURGH, PA., WILSON MINE, D SEAM, MINE INDEX No. 4091, FAYETTE COUNTY, PA., SUB-DIST. 35, RAIL SHIPPING POINT, WHITE BRIDGE, PA., STRIP MINE.

	Size group Nos.				
	1	2	3	4	5
Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

ADAM BLACK, BROAD TOP CITY, PA., BLACK No. 3 MINE, FULTON SEAM, MINE INDEX No. 5169, HUNTINGDON COUNTY, PA., SUB-DIST. 39, RAIL SHIPPING POINT, BROAD TOP CITY, PA., DEEP MINE.

	B	B	B	B	O
	425	425	390	365	350
Price classification.....	B	B	B	B	O
For all methods of transportation and all uses.....	425	425	390	365	350

ADAM BLACK, BROAD TOP CITY, PA., BLACK No. 1 MINE, BARNETT SEAM, MINE INDEX No. 4083, HUNTINGDON COUNTY, PA., SUB-DIST. 39, RAIL SHIPPING POINT, BROAD TOP CITY, PA., DEEP MINE.

Price classification.....	B	B	B	B	O
For all methods of transportation and all uses.....	425	425	390	365	350

COLE, LONGS & RODKEY, R. O. #5 PUNXSUTAWNEY, PA., CORTEZ MINE, D SEAM, MINE INDEX No. 4081, JEFFERSON COUNTY, PA., SUB-DIST. 6, RAIL SHIPPING POINT, ANITA, PA., DEEP MINE.

Price classification.....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

EARNST BROTHERS, BOX 111, OSCEOLA, MILLS, PA., EARNST BROS. MINE, A SEAM, MINE INDEX No. 4077, CENTRE COUNTY, PA., SUB-DIST. 14, RAIL SHIPPING POINT, OSCEOLA MILLS, PA., STRIP MINE.

Price classification.....	H	H	H	H	H
Rail shipment.....	330	330	310	285	235
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	350	325	325	315	305

ROXBY & SONS, BEAVERDALE, PA., ROXBY No. 5 MINE, D SEAM, MINE INDEX No. 6212, SOMERSET COUNTY, PA., SUB-DIST. 33, RAIL SHIPPING POINT, WINDBER, PA., STRIP MINE.

Price classification.....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

C. E. SILLAMAN & M. O. SILLAMAN, BLOSSBURG, PA., O. & M. MINE, BLOSS SEAM, MINE INDEX No. 4039, TIOGA COUNTY, PA., SUB-DIST. 3, STRIP MINE.

	Size group Nos.				
	1	2	3	4	5
Truck shipment.....	442	417	417	407	397

THE WHITE BRIDGE COAL CO., BOX 235, CONNELLSVILLE, PA., WHITE BRIDGE No. 1 MINE, D SEAM, MINE INDEX No. 4080, FAYETTE COUNTY, PA., SUB-DIST. 35, RAIL SHIPPING POINT, WHITE BRIDGE, PA., DEEP MINE.

Price classification....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14017; Filed Sept. 11, 1944;  
11:53 a. m.]

[MPR 120, Order 990]

CENTRAL MOSHANNON COAL MINING CO.,  
ET AL

#### ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, it is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by

river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

CENTRAL MOSHANNON COAL MINING CO., HOUTZDALE, PA., CENTRAL MOSHANNON No. 3 MINE, D SEAM, MINE INDEX No. 5218, CLEARFIELD COUNTY, PA., SUB-DIST. 13, RAIL SHIPPING POINT: NEW MILLFORD, PA.

	Size group Nos.				
	1	2	3	4	5
Price classification.....	D	D	D	D	D
Rail shipment.....	360	340	335	325	325
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	370	345	345	335	325

INDUSTRIAL COLLIERIES CORP., c/o M. L. JACOBS, E. THIRD ST., BETHLEHEM, PA., FRANKLIN No. 74 MINE, B SEAM, MINE INDEX No. 5215, CAMBRIA COUNTY, PA., SUB-DIST. 29, RAIL SHIPPING POINT: JOHNSTOWN, PA., DEEP MINE

	B	B	B	B	C
Price classification.....	380	370	350	340	330
Rail shipment.....	380	370	350	340	330
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	380	355	355	345	330

INDUSTRIAL COLLIERIES CORP., c/o M. L. JACOBS, E. THIRD ST., BETHLEHEM, PA., FRANKLIN No. 73 MINE, C SEAM, MINE INDEX No. 5214, CAMBRIA COUNTY, PA., SUB-DIST. 29, RAIL SHIPPING POINT: JOHNSTOWN, PA., DEEP MINE.

	D	D	D	D	D
Price classification.....	360	340	335	325	325
Rail shipment.....	360	340	335	325	325
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	370	345	345	335	325

INDUSTRIAL COLLIERIES CORP., c/o M. L. JACOBS, E. THIRD ST., BETHLEHEM, PA., ROSDALE No. 72 MINE, B SEAM, MINE INDEX No. 5213, CAMBRIA COUNTY, PA., SUB-DIST. 29, RAIL SHIPPING POINT: JOHNSTOWN, PA., DEEP MINE

	B	B	B	B	C
Price classification.....	380	370	350	340	330
Rail shipment.....	380	370	350	340	330
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	380	355	355	345	330

J. & S. COAL CO., BOX 51, KITTANNING, PA., J. & S. REITZ MINE, A SEAM, MINE INDEX No. 5217, JEFFERSON COUNTY, PA., SUB-DIST. 5, RAIL SHIPPING POINT: CONFER, PA., STRIP MINE

	H	H	H	H	H
Price classification.....	330	330	310	285	285
Rail shipment.....	330	330	310	285	285
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	350	325	325	315	305

KATO COAL MINING CO., c/o SEBASTIAN J. KOLASA, CLARENCE, PA., KATO No. 2 "D" MINE, D SEAM, MINE INDEX No. 5218, CENTRE COUNTY, PA., SUB-DIST. 9, RAIL SHIPPING POINT: KATO, PA.

	D	D	D	D	D
Price classification.....	360	340	335	325	325
Rail shipment.....	360	340	335	325	325
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	370	345	345	335	325

RYDESKY & STAMPEE, EMPORIUM, PA., RYDESKY MINE, ALTON SEAM, MINE INDEX No. 5257, CAMERON COUNTY, PA., SUB-DIST. 2, RAIL SHIPPING POINT: STERLING RUN, PA.

	F	F	F	F	F
Price classification.....	335	335	335	305	305
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

<sup>1</sup> Previously established.

GEORGE F. WALLWORTH, SUMMERTOWN, PA., WALLS No. 3 MINE, B SEAM, MINE INDEX No. 4913, CLARENCE COUNTY, PA., SUB-DIST. 4, RAIL SHIPPING POINT: SLIGO, PA.

	Size group Nos.				
	1	2	3	4	5
Price classification.....	G	G	G <sup>1</sup>	H	H
Rail shipment.....	330	330	315	335	335
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	335	330	320	315	305

<sup>1</sup> Previously established.

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14018; Filed, Sept. 11, 1944; 11:52 a. m.]

[MPR 120, Order 891]

LOBB & ALLAYAUD ET AL.

#### ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, it is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

LOBB & ALLAYAUD, R. D. No. 1, CHESTER HILL, PHILADELPHIA, PA., LOBB No. 1 "C" DEEP MINE, C SEAM, MINE INDEX No. 5234, CLEARFIELD COUNTY, PA., SUB-DIST. 14, RAIL SHIPPING POINT: OSCOLA MILLS, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	330	335	335	325	315

LOBB & ALLAYAUD, R. D. No. 1, CHESTER HILL, PHILADELPHIA, PA., LOBB No. 1 "C" STRIP MINE, C SEAM, MINE INDEX No. 5231, CLEARFIELD COUNTY, PA., SUB-DIST. 14, RAIL SHIPPING POINT: OSCOLA MILLS, PA., STRIP MINE

	F	F	F	F	F
Price classification.....	335	335	335	305	305
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	330	335	335	325	315

LOBB & ALLAYAUD, R. D. No. 1, CHESTER HILL, PHILADELPHIA, PA., LOBB No. 2, DEEP MINE, D SEAM, MINE INDEX No. 4952, CLEARFIELD COUNTY, PA., SUB-DIST. 14, RAIL SHIPPING POINT: OSCOLA MILLS, PA., DEEP MINE

	F	F	F	F	F
Price classification.....	335	335	335	305	305
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	330	335	335	325	315

LOBB & ALLAYAUD, R. D. No. 1, CHESTER HILL, PHILADELPHIA, PA., LOBB No. 2, STRIP MINE, D SEAM, MINE INDEX No. 4949, CLEARFIELD COUNTY, PA., SUB-DIST. 14, RAIL SHIPPING POINT: OSCOLA MILLS, PA., STRIP MINE

	F	F	F	F	F
Price classification.....	335	335	335	305	305
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	330	335	335	325	315

LOBB & ALLAYAUD, R. D. No. 1, CHESTER HILL, PHILADELPHIA, PA., LOBB No. 3, DEEP MINE, E SEAM, MINE INDEX No. 4953, CLEARFIELD COUNTY, PA., SUB-DIST. 14, RAIL SHIPPING POINT: OSCOLA MILLS, PA., DEEP MINE

	F	F	F	F	F
Price classification.....	335	335	335	305	305
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	330	335	335	325	315

LOBB & ALLAYAUD, R. D. No. 1, CHESTER HILL, PHILADELPHIA, PA., LOBB No. 3 STRIP MINE, E SEAM, MINE INDEX No. 5210, CLEARFIELD COUNTY, PA., SUB-DIST. 14, RAIL SHIPPING POINT: OSCOLA MILLS, PA., STRIP MINE.

	F	F	F	F	F
Price classification.....	335	335	335	305	305
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	330	335	335	325	315

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14018; Filed, Sept. 11, 1944; 11:55 a. m.]

[MPR 120, Order 992]

## CARRIER MILLS COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND  
PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 10. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed

by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the

prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.221 and all other provisions of Maximum Price Regulation No. 120.

CARRIER MILLS COAL CO., CARRIER MILLS, ILL., CARRIER MILLS STORAGE PILE, MINE INDEX NO. 2009, SALINE COUNTY, ILL., RAIL SHIPPING POINT: LEDFORD, ILL., No. 5 SEAM CLASSIFIED IN PRICE GROUP No. 1, SOUTHERN SUB-DISTRICT, STORAGE PILE.

	Size group Nos.	
	14	15
Rail shipments for all uses.....	210	155

DIXON BLOCK COAL CO., No. 6 VERMILION ST., DANVILLE, ILL., WALNUT GROVE MINE, No. 7 SEAM, MINE INDEX NO. 2005, VERMILION COUNTY, ILL., RAIL SHIPPING POINT: TILTON, ILL., STRIP MINE, CLASSIFIED IN PRICE GROUP No. 14, CENTRAL SUB-DISTRICT

	Size group Nos.																	
	1	2	3	4	5	6	7	8	9	10-11-12	13	14	15	16	17-18-19-20	21-22-23	24-25	26-27
Rail shipment for all uses.....	300	300	300	270	270	270	(1)	270	255	255	235	235	155	155	200	200	200	240
Truck shipment.....	325	320	315	305	300	295	255	250	245	240	210	200	145	-----	-----	-----	-----	-----

<sup>1</sup> Size group No. 7, rail shipped coal, R. R. locomotive fuel 265, for other use 265.

MADDOX CONSTRUCTION AND COAL COMPANY, RURAL ROUTE No. 6, DANVILLE, ILL., No. 3 MINE, No. 7 SEAM, MINE INDEX NO. 2004, VERMILION COUNTY, ILL., SECTION No. 7, STRIP MINE

	Size group Nos. -													
	1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	
Truck shipment.....	325	320	315	305	300	295	255	250	245	240	210	200	145	

GUY S. MARTIN, 1605 TOWER GROVE AVE., ST. LOUIS, MO., DE SOTO MINE, No. 6 SEAM, MINE INDEX NO. 1633, JACKSON COUNTY, ILL., RAIL SHIPPING POINT: DE SOTO, ILL., STRIP MINE, CLASSIFIED IN PRICE GROUP No. 10, DU QUOIN SUBDISTRICT

	Size group Nos.																	
	1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16	17-18-19-20	21, 22, 23	24, 25	26-27
Rail shipment for all uses.....	245	245	245	220	220	220	(1)	220	215	215	175	175	115	95	225	215	205	185
Truck shipments <sup>2</sup> .....	295	290	285	275	270	265	250	230	235	230	200	190	135	-----	-----	-----	-----	-----

<sup>1</sup> Size Group No. 7. Rail Shipped Coal, R. R. Locomotive Fuel 215, for other use 190.

<sup>2</sup> Previously established.

PROSPERITY COAL CO., 809 S. 12TH ST., HERRIN, ILL., PROSPERITY MINE, No. 5 SEAM, MINE INDEX NO. 1203, WILLIAMSON COUNTY, ILL., RAIL SHIPPING POINT: CAMBRIA, ILL., DEEP MINE, CLASSIFIED IN PRICE GROUP No. 5, SOUTHERN SUBDISTRICT

	Size group Nos.																	
	1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16	17-18-19-20	21, 22, 23	24, 25	26-27
Rail shipment for all uses.....	260	260	260	250	250	250	(1)	250	210	210	175	175	110	95	-----	-----	-----	185
Truck shipments <sup>2</sup> .....	320	320	320	305	300	295	285	255	255	255	235	235	170	-----	-----	-----	-----	-----

<sup>1</sup> Size group No. 7. Rail shipped coal: Railroad locomotive fuel 250, for other use 215.

<sup>2</sup> Previously established.

RITTER COAL CO., DU QUOIN, ILL., RED FOX MINE, No. 6 SEAM, MINE INDEX NO. 1120, PERRY COUNTY, ILL., RAIL SHIPPING POINT: DU QUOIN, ILL., STRIP MINE, CLASSIFIED IN PRICE GROUP No. 17, BELLEVILLE SUB-DISTRICT

	Size group Nos.																	
	1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16	17-18-19-20	21, 22, 23	24, 25	26-27
Rail shipment for all uses.....	245	245	245	220	220	220	(1)	220	215	215	175	175	115	95	225	215	205	185
Truck shipment <sup>2</sup> .....	295	290	285	275	270	265	250	230	235	230	200	190	135	-----	-----	-----	-----	-----

<sup>1</sup> Size group No. 7. Rail shipped coal: Railroad locomotive fuel 215, for other use 190.

<sup>2</sup> Previously established.

NOTE: The maximum prices established by this order include the adjustments authorized by Amendment No. 116 to Maximum Price Regulation No. 120 effective August 22, 1944.

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14020; Filed, Sept. 11, 1944; 11:56 a. m.]

[MPR 120, Order 993]

## CLEAR FORK COAL CO., INC., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND  
PRICE CLASSIFICATIONS

For the reasons set forth in accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amend-

THE CARRON FUEL CO., 1310 KANAWHA VALLEY BLVD., CHARLESTON, W. VA., CARRON NO. 3-B MINE, DEER MINE, SEAM, MINE INDEX NO. 7182, KANAWHA COUNTY, W. VA., SUB-DISTRICT 4, RAIL SHIPPING POINT: SOUTH CARBON, W. VA., F. O. G. 123, DEER MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size Group Nos.											
	1	2	3	4	5	6	7	8	9	10	15-10-17	20-21
	M	M	M	M	M	L	K	G	E	G	D	J
Price classification.....	350	350	345	345	345	330	320	310	310	310	300	285
Rail shipments and railroad fuel.....	405	385	360	360	360	330	300	280	255			
Truck shipment.....												240

CHRISTOPHER COAL CO., JENKINS, KY., CHRISTOPHER MINE, ELKHORN NO. 3 SEAM, MINE INDEX NO. 7010, LETCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: JENKINS, KY., F. O. G. 61, DEER MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size Group Nos.											
	1	2	3	4	5	6	7	8	9	10	15-10-17	20-21
	H	H	H	H	F	F	E	E	O	O	A	D
Price classification.....	350	375	350	350	345	340	320	315	315	315	305	300
Rail shipments and railroad fuel.....	415	395	360	360	330	300	280	255				
Truck shipment.....												240

P. H. ELKHORN COAL CO., HUEYVILLE, KY., STONE MINE NO. 3 MINE, ELKHORN NO. 1 SEAM, MINE INDEX NO. 7181, FLOYD COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: BEZZO, KY. F. O. G. 61, DEER MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size Group Nos.											
	1	2	3	4	5	6	7	8	9	10	15-10-17	20-21
	H	H	H	H	F	F	E	E	O	O	A	D
Price classification.....	350	375	350	350	345	340	320	315	315	315	305	300
Rail shipments and railroad fuel.....	405	385	360	360	330	300	280	255				
Truck shipment.....												240

P. L. WOMMACH, JENKINS, KY., WOMMACH MINE, ELKHORN NO. 3 SEAM, MINE INDEX NO. 7180, LETCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: JENKINS, KY. F. O. G. 61, DEER MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size Group Nos.											
	1	2	3	4	5	6	7	8	9	10	15-10-17	20-21
	H	H	H	H	F	F	E	E	O	O	A	D
Price classification.....	350	375	350	350	345	340	320	315	315	315	305	300
Rail shipments and railroad fuel.....	415	395	360	360	330	300	280	255				
Truck shipment.....												240

NOTE: The maximum prices established by this order include all adjustments authorized by Amendment No. 115 to Maximum Price Regulation No. 120, effective August 10, 1944.

This order shall become effective September 12, 1944.

(56 Stat. 23, 705, 57 Stat. 506; Pub. Law 393, 78th Cong.; E.O. 9350, 7 F.R. 7871; E.O. 9328, 8 F.R. 4081)

Issued this 11th day of September 1944.

CHRISTOPHER BOWLES,  
Administrator.

[F. R. Doc. 44-14021; Filed, Sept. 11, 1944; 11:04 a. m.]

ment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

CLARK FORK COAL CO., INC., MIDDLEBORO, KY., CLEARFORK NO. 3 LOWER SEAM MINE, POPLAR LICK SEAM, MINE INDEX NO. 7176, BELL COUNTY, KY., SUB-DISTRICT 6, RAIL SHIPPING POINT: FONDEL, KY., F. O. G. 113, DEER MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	15-10-17	20-21
	H	H	H	H	F	F	E	D	O	E	D	K
Price classification.....	305	300	375	375	370	365	335	335	330	335	315	295
Rail shipments and railroad fuel.....	405	385	360	360	330	300	280	255				
Truck shipment.....												245

FLOYD ELKHORN COAL CO., DUFFY, KY., LIBERTY NO. 2 MINE, ELKHORN NO. 2 SEAM, MINE INDEX NO. 7170, FLOYD COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: BUCKEYE, KY., F. O. G. 61, DEER MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	15-10-17	20-21
	F	F	F	F	F	H	H	G	E	O	E	K
Price classification.....	335	330	370	370	365	335	315	315	315	370	335	235
Rail shipments and railroad fuel.....	405	385	360	360	330	300	280	255				
Truck shipment.....												240

KANAWHA AND HOCHING COAL AND COKE CO., 111 CANTREL ST., CHARLESTON, W. VA., NO. 163 MINE, LETCHER COUNTY, W. VA., MINE INDEX NO. 7001, KANAWHA COUNTY, W. VA., SUB-DISTRICT 4, RAIL SHIPPING POINT: ALABAMA, W. VA., F. O. G. 113

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	15-10-17	20-21
	F	F	F	F	F	F	H	G	E	O	E	K
Price classification.....	335	330	370	370	365	335	315	315	315	370	335	235
Rail shipments and railroad fuel.....	405	385	360	360	330	300	280	255				
Truck shipment.....												240

<sup>1</sup> Previously established.

BOWERS COAL CO., HANOVER, W. VA., BOWERS MINE, LITTLE EAGLE SEAM, MINE INDEX NO. 7183, WYOMING COUNTY, W. VA., SUB-DISTRICT 6, RAIL SHIPPING POINT: JUSTICE, W. VA., F. O. G. 23, DEER MINE, MAXIMUM TRUCK PRICE GROUP NO. 4

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	15-10-17	20-21
	K	K	K	K	E	E	D	E	O	E	A	E
Price classification.....	305	300	370	370	365	335	315	315	315	370	335	290
Rail shipments and railroad fuel.....	390	370	340	340	330	300	280	255				
Truck shipment.....												240

[MPR 120, Order 904]

ATLAS ENGINEERING CO., ET AL.  
ESTABLISHMENT OF MAXIMUM PRICES AND  
PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, it is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent

but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

THE ATLAS ENGINEERING CO., 1121 CHAPLINE ST., WHEELING, W. VA., LORD FAIRFAX NO. 2 MINE, LITTLE PITTSBURGH NO. 1 SEAM, MINE INDEX NO. 5130, GRANT COUNTY, W. VA., SUBDISTRICT 45, RAIL SHIPPING POINT: FAIRFAX, W. VA., STRIP MINE

	Size group No.				
	1	2	3	4	5
Price classification....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

THE ATLAS ENGINEERING CO., 1121 CHAPLINE ST., WHEELING, W. VA., LORD FAIRFAX NO. 3 MINE, LITTLE PITTSBURGH NO. 2 SEAM, MINE INDEX NO. 5131, GRANT AND TUCKER COUNTIES, W. VA., AND GARRETT COUNTY, MD., SUBDISTRICT 45, RAIL SHIPPING POINT: FAIRFAX, W. VA., STRIP MINE

	Size group No.				
	1	2	3	4	5
Price classification....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

B & B COAL CO., KANTNER, PA., B & B NO. 2 MINE, B SEAM, MINE INDEX NO. 5163, SOMERSET COUNTY, PA., SUBDISTRICT 37, RAIL SHIPPING POINT: STOKES-TOWN, PA.

	Size group No.				
	1	2	3	4	5
Price classification....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

BEECHTON FUEL CO., 623 MAIN ST., BROCKWAY, PA., BEECHTON NO. 1 MINE, D SEAM, MINE INDEX NO. 5182, JEFFERSON COUNTY, PA., SUBDISTRICT 5, RAIL SHIPPING POINT: BEECHTON, PA., STRIP MINE

	Size group No.				
	1	2	3	4	5
Price classification....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

BEECHTON FUEL CO., 623 MAIN ST., BROCKWAY, PA., BEECHTON NO. 2 MINE, E SEAM, MINE INDEX NO. 5183, JEFFERSON COUNTY, PA., SUBDISTRICT 5, RAIL SHIPPING POINT: BEECHTON, PA., STRIP MINE

	Size group No.				
	1	2	3	4	5
Price classification....	G	G	G	G	G
Rail shipment.....	330	330	315	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	310

BLUE FLAME COAL CO., BAYARD, W. VA., BLUE FLAME MINE, E SEAM, MINE INDEX NO. 5166, GARRETT COUNTY, MD., SUBDISTRICT 45, RAIL SHIPPING POINT: GORMAN, MD.

	Size group No.				
	1	2	3	4	5
Price classification....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

THE COUNTY COAL CO., SOMERSET, PA., COUNTY NO. 1 MINE, D SEAM, MINE INDEX NO. 5192, SOMERSET COUNTY, PA., SUBDISTRICT 36, RAIL SHIPPING POINT: SOMERSET, PA., STRIP MINE

	Size group No.				
	1	2	3	4	5
Price classification....	D	D	D	D	D
Rail shipment.....	360	340	335	325	325
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	370	345	345	335	325

THE COUNTY COAL CO., SOMERSET, PA., COUNTY NO. 2 MINE, E SEAM, MINE INDEX NO. 5193, SOMERSET COUNTY, PA., SUBDISTRICT 36, RAIL SHIPPING POINT: SOMERSET, PA., STRIP MINE

	Size group No.				
	1	2	3	4	5
Price classification....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

This order shall become effective September 12, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14022; Filed, Sept. 11, 1944; 11:55 a. m.]

[MPR 120, Order 995]

FOREMAN-WHITE COAL CO., ET AL.

#### ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210(a) (6) of Maximum Price Regulation No. 120, it is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton

f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

FOREMAN-WHITE COAL CO., SAXTON, PA., SEABOARD NO. 2 MINE, HARNETT SEAM, MINE INDEX NO. 6031, BEDFORD COUNTY, PA., SUB-DIST. 39, RAIL SHIPPING POINT: HOPEWELL, PA., DEEP MINE

	Size group No.				
	1	2	3	4	5
Price classification....	B	B	B	B	O
Rail shipment.....	425	425	390	365	350
R. R. locomotive fuel.....	425	425	390	365	350
Truck shipment.....	425	425	390	365	350

FOREMAN-WHITE COAL CO., SAXTON, PA., SEABOARD NO. 3 MINE, KELLY SEAM, MINE INDEX NO. 6032, BEDFORD COUNTY, PA., SUB-DIST. 39, RAIL SHIPPING POINT: HOPEWELL, PA., DEEP MINE

	Size group No.				
	1	2	3	4	5
Price classification....	F	F	F	F	F
Rail shipment.....	425	425	390	365	350
R. R. locomotive fuel.....	425	425	390	365	350
Truck shipment.....	425	425	390	365	350

MORGANTOWN COAL CO., R. D. #2 BOSWELL, PA., FRITZ MINE, C SEAM, MINE INDEX NO. 6164, SOMERSET COUNTY, PA., SUB-DIST. 36, RAIL SHIPPING POINT: BOSWELL, PA.

	Size group No.				
	1	2	3	4	5
Price classification....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

SALISBURY CONSTRUCTION CO., BOX 170, MEYERSDALE, PA., NO. 101 MINE, E SEAM, MINE INDEX NO. 6169, SOMERSET COUNTY, PA., SUB-DIST. 40, RAIL SHIPPING POINT: ROCKWOOD, PA., STRIP MINE

	Size group No.				
	1	2	3	4	5
Price classification....	H	H	H	H	H
Rail shipment.....	330	330	310	295	295
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	325	325	315	305

GARWOOD SHAFFER, R. D. NO. 1 SOMERSET, PA., SHAFFER MINE, B SEAM, MINE INDEX NO. 6037, SOMERSET COUNTY, PA., SUB-DIST. 40, RAIL SHIPPING POINT: SHAMROCK, PA., DEEP MINE

	Size group No.				
	1	2	3	4	5
Price classification....	G	G	G	G	G
Rail shipment.....	330	330	315	305	305
R. R. locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	330	330	320	310

J. O. WEESE COAL MINES, INC., P. O. BOX 283 KEYSER, W. VA., ELK GARDEN NO. 1 MINE, TYSON SEAM, MINE INDEX NO. 5165, MINERAL COUNTY, W. VA., SUB-DIST. 44, RAIL SHIPPING POINT: ELK GARDEN, W. VA., DEEP MINE

	Size group No.				
	1	2	3	4	5
Price classification....	E	E	E	E	E
Rail shipment.....	405	385	385	370	370
R. R. locomotive fuel.....	405	385	385	370	370
Truck shipment.....	405	385	385	370	370

This order shall become effective September 12, 1944.

'56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14023; Filed, Sept. 11, 1944; 11:55 a. m.]



HUBERT F. JOHNSON, EAST BERNSTADT, KY., JOHNSON MINE, BERNSTADT SEAM, MINE INDEX No. 7114, LAUREL COUNTY, KY., SUB-DISTRICT 6, RAIL SHIPPING POINT: EAST BERNSTADT, KY., F. O. G. 111 STRIP MINE, MAXIMUM TRUCK PRICE GROUP No. 6.

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification...	M	M	M	M	M	M	M	M	M	M
Rail shipments and railroad fuel.....	305	305	300	300	300	300	300	300	300	300
Truck shipment.....	380	380	335	335	335	335	335	335	335	335

LEITCHER COAL CO., P. O. BOX No. 73, FLEMING, KY., LEITCHER No. 2 MINE, ELKHORN SEAM, MINE INDEX No. 7145, LEITCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: FLEMING, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification...	H	H	H	H	H	H	H	H	H	H
Rail shipments and railroad fuel.....	380	375	360	360	355	340	320	315	305	300
Truck shipment.....	380	360	335	335	320	295	265	265	265	265

LEITCHER COAL CO., P. O. BOX No. 73, FLEMING, KY., LEITCHER No. 3 MINE, ELKHORN SEAM, MINE INDEX No. 7146, LEITCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: FLEMING, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification...	H	H	H	H	H	H	H	H	H	H
Rail shipments and railroad fuel.....	380	375	360	360	355	340	320	315	305	300
Truck shipment.....	380	360	335	335	320	295	265	265	265	265

LEITCHER COAL CO., P. O. BOX No. 73, FLEMING, KY., LEITCHER No. 4 MINE, ELKHORN SEAM, MINE INDEX No. 7147, LEITCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: FLEMING, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification...	H	H	H	H	H	H	H	H	H	H
Rail shipments and railroad fuel.....	380	375	360	360	355	340	320	315	305	300
Truck shipment.....	380	360	335	335	320	295	265	265	265	265

LEITCHER COAL CO., P. O. BOX No. 73, FLEMING, KY., LEITCHER No. 5 MINE, ELKHORN SEAM, MINE INDEX No. 7148, LEITCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: FLEMING, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5.

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification...	H	H	H	H	H	H	H	H	H	H
Rail shipments and railroad fuel.....	380	375	360	360	355	340	320	315	305	300
Truck shipment.....	380	360	335	335	320	295	265	265	265	265

Norm: The maximum prices established by this order include all adjustments authorized by Amendment No. 115 to Maximum Price Regulation No. 120 effective August 10, 1944.

[APR 188, Order 2589]

WESTON INTERNATIONAL CO.

ADJUSTMENT OF MAXIMUM PRICES

For reasons set forth in an opinion issued simultaneously herewith and filed with the division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9258, and in accordance with § 1499.157 of Maximum Price Regulation

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14024; Filed, Sept. 11, 1944; 11:54 a. m.]

which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

#### ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, it is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in

BOYD GAMBREL MINE, STRAIGHT CREEK SEAM, MINE INDEX No. 7070, BULL COUNTY, KY., SUB-DISTRICT 6, RAIL SHIPPING POINT: PINEVILLE, KY., F. O. G. 111, MAXIMUM TRUCK PRICE GROUP No. 3.

	Size group nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification...	F	F	F	F	F	F	F	F	F	F
Rail shipments and railroad fuel.....	400	395	385	385	385	385	385	385	385	385
Truck shipment.....	400	385	360	360	360	360	360	360	360	360

HARLAN-WALLING COAL CO., VERBA, KY., DARRY MINE, No. 5 SEAM, MINE INDEX No. 152, HARLAN COUNTY, KY., SUB-DISTRICT 2, RAIL SHIPPING POINT: MARINE No. 2, KY., F. O. G. 63.

	Size group nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification...	F	F	F	F	F	F	F	F	F	F
Rail shipments and railroad fuel.....	400	395	385	385	385	385	385	385	385	385
Truck shipment.....	400	385	360	360	360	360	360	360	360	360

\* Previously established.

JESSE HOLMBOOR COAL CO., KONA, KY., HOLMBOOR MINE, ELKHORN SEAM, MINE INDEX No. 7100, LEITCHER COUNTY, KY., SUB-DISTRICT 1, RAIL SHIPPING POINT: KONA, KY., F. O. G. 63, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 6.

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification...	K	K	K	K	K	K	K	K	K	K
Rail shipments and railroad fuel.....	305	300	300	300	300	300	300	300	300	300
Truck shipment.....	380	360	335	335	320	320	320	320	320	320

No. 188, and section 9.3 of Revised Supplementary Regulation No. 14, *It is ordered:*

(a) This Order No. 2280 establishes maximum prices for sales of the "New Ball O'Flint" cigarette lighter manufactured by Weston International Company, 85 East Tenth Street, New York 3, New York. This order applies to all sales of the new cigarette lighter in the 48 States and the District of Columbia.

(1) For all sales and deliveries by the manufacturer, from the time Maximum Price Regulation No. 188 became applicable to these sales and deliveries, the maximum prices are those set forth below:

Article	Model	Maximum price to jobbers	Maximum price to retailers
Cigarette lighter.....	New Ball O'Flint.....	Each \$0.39	Each \$0.52

These prices are f. o. b. New York, New York, and are subject to a cash discount of 2% for a payment within 10 days net 30 days.

(2) For all sales and deliveries on and after the effective date of this order at wholesale, the maximum price is that set forth below:

Article	Model	Maximum price for sales at wholesale
Cigarette lighter.....	New Ball O'Flint.....	Each \$0.52

This price is f. o. b. seller's city, and subject to the seller's customary terms, discounts, allowances, and other price differentials in effect during March 1942.

(3) For all sales and deliveries at retail by any person on and after the effective date of this order, the maximum price is that set forth below:

Article	Model	Maximum price for sales at retail
Cigarette lighter.....	New Ball O'Flint.....	Each \$0.59

(b) At the time of or prior to the first invoice covering a sale of the "New Ball O'Flint" cigarette lighter, on and after the effective date of this order, the manufacturer and every wholesaler shall notify, in writing, every purchaser for resale of the maximum prices and conditions set by this order for resales by the purchaser. This notice may be given in any convenient form.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.-

20 of the General Maximum Price Regulation shall apply to the terms used herein. As used in this order, the term "manufacturer" shall have the meaning given to that term by Maximum Price Regulation No. 188.

(d) This Order No. 2280 may be revoked or amended by the Price Administrator at any time.

This Order No. 2280 shall become effective September 12, 1944.

Issued this 11th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14013; Filed, Sept. 11, 1944;  
11:52 a. m.]

[MPR 188, Order 2282]

GARRETT-THEW STUDIOS

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9328; *It is ordered:*

(a) The maximum prices for all sales and deliveries by Garrett-Thew Studios, Roseville Road, Westport, Connecticut, of "V" Hoe Cultivators of its manufacture, as described in its application dated July 10, 1944 after such articles became subject to Maximum Price Regulation No. 188, are as follows:

Article	To Jobbers	To Retailers
"V" hoe cultivator.....	\$1.65	\$2.20

These maximum prices are f. o. b. Westport, Connecticut and are subject to a cash discount of 2%—10 days, net 30 days.

(b) The maximum prices for all sales and deliveries at wholesale for the "V" Hoe Cultivators described in paragraph (a) above shall be the prices set forth below as follows:

Article:	To retailers
"V" hoe cultivator.....	\$2.20

These prices are f. o. b. seller's city and are subject to terms, discounts and allowances no less favorable than those customarily granted by the seller.

(c) The maximum prices for a sale at retail of the "V" Hoe Cultivators described in paragraph (a) above shall be as follows:

Article:	Maximum price to consumers
"V" hoe cultivator.....	\$3.30

(d) On each "V" Hoe Cultivator shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since

this order also establishes maximum prices for sales by all jobbers to jobbers and retailers, each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Order No. 2282 may be revoked or amended by the Price Administrator at any time.

This Order No. 2282 shall become effective on the 12th day of September 1944.

Issued this 11th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14046; Filed, Sept. 11, 1944;  
4:02 p. m.]

[MPR 120, Order 906]

BITUMINOUS COAL IN DISTRICT 8

ADJUSTMENT OF MAXIMUM PRICES

#### Correction

In the table for F. R. Doc. 44-12090, appearing at page 9926 of the issue for Tuesday, August 15, 1944, the figure "440" opposite the mine name "Hawthorne" under the heading "Truck and wagon" should be transposed from column 7 to column 6.

[MPR 188, Order 2289]

KURSH PAPER Co.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a porch gate manufactured by Kursh Paper Company, 608 St. Clair Street, Cleveland, Ohio.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article and model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Porch gate.....	Each \$0.00	Each \$1.17

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated June 9, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of articles to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	Maximum Price to retailers (each)
Porch gate.....	\$1.17

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated June 9, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum price shall be that determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum price and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 13th day of September 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14081; Filed, Sept. 12, 1944; 11:44 a. m.]

[MPR 188, Order 2290]

WINNER INDUSTRIES

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a Hidee Door manufactured by the Winner Industries, 1021 Washington Avenue, S. E., Minneapolis 14, Minnesota.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Hidee door.....	#120-29"	Each \$1.33	Each \$1.77
Hidee door.....	#225-25"	1.47	1.94

These prices are for the sales and delivery of the articles described in the manufacturer's application dated July 1, 1944, and they are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Hidee door.....	#120-29" #225-25"	Each \$1.77 1.94

These prices are for the sale and delivery of the articles described in the manufacturer's application dated July 1, 1944, and they are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days net 30 days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 13th day of September 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14032; Filed, Sept. 12, 1944; 11:44 a. m.]

[MPR 188, Order 2291]

LLOYD COMPANY

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a five piece dinette set manufactured by The Lloyd Company of 214 Junius, Dallas 14, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Five piece dinette set.....	Dinette set.....	Each \$21.09	\$21.87

These prices are f. o. b. factory and are subject to a cash discount of payment within ten days, net thirty days and is for the article described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allow-

ances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 138, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum Price to Retailers
Five piece dinette set.....	Dinette set.....	Each \$25.87

This price is subject to a cash discount of two percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application dated June 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 13th day of September 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14083; Filed, Sept. 12, 1944;  
11:45 a. m.]

[RMPR 436, Order 22]

#### CRUDE PETROLEUM IN PONTOTOC COUNTY, OKLA.

##### ADJUSTMENT OF MAXIMUM PRICES

Order No. 22 under Revised Maximum Price Regulation No. 436. Crude petroleum, and natural and petroleum gas.

Order revising maximum price of crude petroleum from:

Fitts (Gillcrease) Pool, Pontotoc County, Okla.

Fitts (Cromwell) Pool, Pontotoc County, Okla.

Fitts (Hunton) Pool, Pontotoc County, Okla.

Fitts (Upper Simpson Series) Pool, Pontotoc County, Okla.

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436, it is hereby ordered:

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after September 1, 1944, and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

	Amount of Increase (Dollars per 42-gallon barrel)
Oklahoma State, Pontotoc County, Fitts (Gillcrease) Pool.....	\$0.20
Oklahoma State, Pontotoc County, Fitts (Cromwell) Pool.....	.20
Oklahoma State, Pontotoc County, Fitts (Hunton) Pool.....	.20
Oklahoma State, Pontotoc County, Fitts (Upper Simpson Series) Pool.....	.20

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of September 1, 1944.

Issued this 12th day of September 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-14076; Filed, Sept. 12, 1944;  
11:42 a. m.]

#### Regional and District Office Orders.

[Delegation Order 1, Amdt. 1]

TERRITORIAL DIRECTOR OR ACTING TERRITORIAL DIRECTOR, HAWAII

##### DELEGATION OF AUTHORITY

Delegation Order 1 is amended to read as follows:

Delegation of authority to the Territorial Director or Acting Territorial Director concerning regulations applicable in the Territory of Hawaii.

Pursuant to the authority conferred upon the Regional Administrator for Region IX by General Order No. 39 issued by the Administrator, it is ordered:

(a) *Delegation to the Territorial Director or Acting Territorial Director for the Territory of Hawaii to sign, issue, modify and amend maximum price regulations applicable in the Territory of Hawaii.*

(1) The Territorial Director or Acting Territorial Director for the Territory of Hawaii is hereby authorized to sign, issue,

modify and amend maximum price regulations and statements of considerations in accordance with the provisions and standards of the Emergency Price Control Act of 1942, as amended, insofar as such regulations are applicable in the Territory of Hawaii. (2) The authority heretofore delegated to the Territorial Director for the Territory of Hawaii on December 3, 1942, is hereby confirmed, and any and all action taken by him pursuant to such delegation of December 3, 1942 is hereby ratified and approved.

(b) This amendment shall become effective September 6, 1944.

Issued this 6th day of September 1944.

JAMES P. DAVIS,  
Regional Administrator.

[F. R. Doc. 44-14014; Filed, Sept. 11, 1944;  
11:25 a. m.]

[San Antonio Rev. Order 1 Under Rev. Restaurant MPR 5-3]

#### MALT BEVERAGES IN SAN ANTONIO, TEX., DISTRICT

##### Correction

In F.R. Doc. 44-11864, appearing at page 9770 of the issue for Thursday, August 10, 1944, in the table under section 2 (a) the heading "Imported Beer" should appear between "Van Meritt" and "Corona".

[Region II Rev. Order G-34 Under RMPR 122, Amdt. 3]

#### PENNSYLVANIA ANTHRACITE IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-34 is amended in the following respect:

1. Paragraph (a) is amended by eliminating the following anthracite from that specified under "Group I":

Anthracite produced and prepared by Delano Anthracite Collieries Co., Ashland, Pa.

Anthracite produced by the Hazel Brook Coal Company from its Continental Mines and the property of Raven Run Coal Company, prepared at its Midvalley Breaker, and marketed under the trade name "Raven Run Coal."

This Amendment No. 3 to Revised Order No. G-34 shall become effective October 1, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of September 1944.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-14077; Filed, Sept. 12, 1944;  
11:46 a. m.]

## [Arkansas Order 1 Under Restaurant MPR 2]

## POSTING REQUIREMENTS IN ARKANSAS DISTRICT

## Correction

In F.R. Doc. 44-12011, appearing at page 9861 of the issue for Saturday, August 12, 1944, the issuance paragraph should read "Issued at Little Rock, Arkansas, this 31st day of July 1944."

## LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 7, 1944.

## REGION I

Providence Order 2-F, Amendment 14, covering fresh fruits and vegetables in the State of Rhode Island, except Shoreham, filed 3:47.

## REGION III

Escanaba Order 12-F Amendment 26, covering fresh fruits and vegetables sold at retail in the city of Hancock, filed 9:29.

Escanaba Order 13-F Amendment 26, covering fresh fruits and vegetables sold at retail in the City of Ironwood, filed 9:29.

Escanaba Order 14-F Amendment 26, covering fresh fruits and vegetables sold at retail in all of Dickinson County, filed 9:29.

Escanaba Order 15-F Amendment 26, covering fresh fruits and vegetables sold at retail in the City of Menominee, filed 9:29.

Escanaba Order 16-F Amendment 26, covering fresh fruits and vegetables sold at retail in the City of Sault Ste. Marie, Chippewa County, Mich., filed 9:29.

## REGION IV

Richmond Order 4-F Amendment 9, covering fresh fruits and vegetables ceiling price in the Richmond district, filed 9:50.

Columbia Order 14 Amendment 11, covering retail prices for certain shell eggs in the South Carolina district, filed 9:50.

## REGION V

Arkansas Order 1-E Amendment 1, covering eggs in the State of Arkansas, filed 9:57.

Arkansas Order 2-F Amendment 23, covering fresh fruits and vegetables sold at retail in Pulaski County, Arkansas, filed 3:38.

Arkansas Order 4-F Amendment 22, covering fresh fruits and vegetables sold at retail in Miller County, Ark., filed 3:38.

Arkansas Order 5-F Amendment 21, covering fresh fruits and vegetables sold at retail in Garland County, Arkansas, filed 3:38.

Arkansas Order 6-F Amendment 22, covering fresh fruits and vegetables sold at retail in Sebastian and Crawford Counties, Ark., filed 3:38.

Arkansas Order 3-W covering dry groceries at wholesale in the District of Arkansas, filed 3:40.

Arkansas Order 20, covering dry grocery and certain items of perishables in the Arkansas District, filed 3:39.

Arkansas Order 22, covering certain dry grocery items and certain items of perishables, in the Arkansas District, filed 3:40.

Dallas Order 1-F Amendment 30, covering fresh fruits and vegetables sold at retail in the Dallas District, filed 9:57.

Houston Order G-16, covering certain food items in certain counties in Texas, filed 9:37.

New Orleans Order 2-W Amendment 2, covering certain food items at wholesale in certain Districts in New Orleans, filed 9:51.

New Orleans Order 2-W Amendment 2, covering certain food items at wholesale in certain Districts in New Orleans, filed 9:51.

New Orleans Order G-21 Amendment 4, covering certain food items sold at retail in the New Orleans Area, filed 3:41.

New Orleans Order G-22 Amendment 3, covering certain food items sold at retail in New Mexico Order F-6 Amendment 5, covering certain food items sold at retail in certain Areas in New Orleans, filed 3:42.

New Orleans Order G-23 Amendment 5, covering certain food items sold at retail in certain Areas in New Orleans, filed 3:42.

New Orleans Order G-24 Amendment 4, covering certain food items sold at retail in certain areas in New Orleans, filed 3:42.

Oklahoma Order 2-F Amendment 8, covering fresh fruits and vegetables sold at retail in the Oklahoma District, filed 9:52.

Oklahoma Order 3-F Amendment 31, covering fresh fruits and vegetables sold at retail in the Oklahoma District, filed 9:52.

Wichita Order 4-F Amendment 11, covering fresh fruits and vegetables sold at retail in Wichita District, filed 9:54.

Des Moines Order 1-F Amendment 32, covering fresh fruits and vegetables in the Des Moines Area, filed 3:43.

## REGION VI

Duluth Order 1-F Amendment 32, covering fresh fruits and vegetables in the Duluth-Superior District, filed 3:45.

Duluth Order 2-F Amendment 7, covering fresh fruits and vegetables in the Duluth District, filed 3:45.

Duluth Order 3 Amendment 3, covering community food prices in Wisconsin and Minnesota, filed 3:43.

Duluth Order 10 Amendment 3, covering community food prices in Wisconsin and Minnesota, filed 3:44.

Duluth Order 2 Amendment 4, covering community food prices in certain areas in Wisconsin and Minnesota, filed 3:43.

Fargo Order 1-F Amendment 7, covering prices of certain fresh fruit and vegetables in the North Dakota Counties, filed 9:47.

Fargo Order 2-F Amendment 7, covering prices of fresh fruit and vegetables in certain counties in North Dakota, filed 9:47.

Fargo Order 3-F Amendment 7, covering prices of fresh fruit and vegetables in certain counties in Minnesota, filed 9:48.

North Platte Order 8-F, covering fresh fruits and vegetables at retail within the North Platte District, filed 9:48.

Peoria Order 5-F, covering fresh fruits and vegetables in a certain area in Illinois, filed 9:46.

Springfield Order 1-FS Amendment 7, covering fresh fruit and vegetables in certain areas in Springfield, filed 10:00.

Springfield Order 8-F, covering fresh fruits and vegetables in certain counties in Illinois, filed 9:44.

Springfield Order 36 Amendment 1, covering community prices on poultry in certain counties in Illinois, filed 9:45.

Springfield Order 42 Amendment 1, covering community prices on poultry in certain counties in Illinois, filed 9:45.

Twin Cities Order 1-F Amendment 19, covering fresh fruits and vegetables in St. Paul and Minneapolis and adjoining municipalities, filed 10:00.

## REGION VII

New Mexico Order F-1 Amendment 22, covering community fresh fruits and vegetables prices in the City of Albuquerque, filed 9:49.

New Mexico Order F-2 Amendment 8, covering community fresh fruits and vegetables prices in the City of Santa Fe, filed 9:37.

New Mexico Order F-3 Amendment 8, covering community fresh fruit and vegetables prices in the City of Gallup, filed 9:38.

New Mexico Order F-4 Amendment 8, covering community fresh fruit and vegetables

prices in certain areas in New Mexico, filed 9:39.

New Mexico Order F-5 Amendment 5, covering community fresh fruit and vegetables in the City of Las Vegas, filed 9:39.

New Mexico Order F-6 Amendment 5, covering community fresh fruit and vegetables in certain areas in New Mexico, filed 9:39.

New Mexico Order 1-W Amendment 4, covering dry grocery in certain areas in New Mexico, filed 9:39.

New Mexico Order 2-W Amendment 2, covering dry grocery in certain areas in New Mexico, filed 9:40.

New Mexico Order 4-W Amendment 2, covering dry grocery in certain areas in New Mexico, filed 9:41.

New Mexico Order 5-W Amendment 2, covering dry grocery in certain areas in New Mexico, filed 9:43.

New Mexico Order 6-W Amendment 3, covering dry grocery in certain areas in New Mexico, filed 9:31.

Wyoming Order 1-F Amendment 10, covering community fresh fruit and vegetables prices in the Cheyenne area, filed 9:33.

Wyoming Order 2-F Amendment 8, covering community fresh fruit and vegetables prices in the Laramie area, filed 9:33.

Wyoming Order 3-P Amendment 7, covering community fresh fruit and vegetables prices in the Casper area, filed 9:32.

Wyoming Order 4-F Amendment 7, covering community fresh fruit and vegetables prices in the Sheridan area, filed 9:32.

Wyoming Order 5-F Amendment 6, covering community fresh fruit and vegetables prices in the Rock Springs area, filed 9:33.

## REGION VIII

Fresno Order 1-F Amendment 34, covering community fresh fruits and vegetables in certain areas in Fresno, Calif., filed 9:35.

Fresno Order 2-F Amendment 22, covering community fresh fruits and vegetables in certain areas in Fresno, Calif., filed 9:34.

Fresno Order 3-F Amendment 19, covering community fresh fruits and vegetables in certain areas in Fresno, Calif., filed 9:35.

Fresno Order 6-F Amendment 5, covering community fresh fruits and vegetables in certain areas in Fresno, Calif., filed 9:34.

Portland Order 1-F Amendment 32, covering fresh fruits and vegetables in certain areas in the Portland District, filed 9:34.

Nevada Order 21, covering certain dry grocery items and certain items of perishables in certain districts of Nevada, filed 3:45.

Copies of any of the above orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-14034; Filed, Sept. 12, 1944; 11:45 a. m.]

## LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 8, 1944.

## REGION II

Syracuse Order 3-F under Rev. GO 51, covering fresh fruit and vegetables in Syracuse, Watertown and Utica, filed 2:14 p. m.

Syracuse Order 4-F under Rev. GO 51, covering fresh fruit and vegetables in Syracuse district except Syracuse, Watertown and Utica, filed 2:14 p. m.

Syracuse Order 24, covering dry groceries in Onondaga and Madison Counties, except named towns, filed 2:15 p. m.



Syracuse Order 25, covering dry groceries in designated areas in New York, filed 2:15 p. m.

Syracuse Order 26, covering dry groceries in Jefferson, Lewis, Oswego & St. Lawrence, N. Y., filed 2:15 p. m.

Syracuse Order 27, covering dry groceries in Ontario, Wayne, Seneca & Wayne Counties, N. Y., filed 2:16 p. m.

Syracuse Order 28, covering dry groceries in the Syracuse District Office, filed 2:16 p. m.

#### REGION III

Saginaw Order 3-F, Amendment 7, covering fresh fruit and vegetables in named counties in Michigan, filed 2:13 p. m.

#### REGION VI

Des Moines Order 3, Amendment 5, covering community food prices in the Des Moines Area, filed 2:03 p. m.

Des Moines Order 4, Amendment 5, covering community food prices in the Des Moines Area, filed 2:04 p. m.

Des Moines Order 5, Amendment 5, covering community food prices in the Des Moines Area, filed 2:04 p. m.

Des Moines Order 6, Amendment 5, covering community food prices in the Ottumwa Area, filed 2:01 p. m.

Des Moines Order 7, Amendment 5, covering community food prices in the Mason City Area, filed 2:01 p. m.

Des Moines Order 8, Amendment 5, covering community food prices in the Fort Dodge Area, filed 2:02 p. m.

Des Moines Order 9, Amendment 5, covering community food prices in the Creston Area, filed 2:03 p. m.

Milwaukee Order 2-F, Amendment 30, covering fresh fruit and vegetables in Dane County, filed 2:07 p. m.

Milwaukee Order 3-F, Amendment 30, covering fresh fruit and vegetables in Milwaukee Co. and Cities of Racine and Kenosha, filed 2:06 p. m.

Milwaukee Order 5-F, Amendment 29, covering fresh fruit and vegetables in Sheboygan and Fond Du Lac Counties, filed 2:06 p. m.

Peoria Order 1-F, Amendment 13, covering fresh fruit and vegetables in designated counties in Illinois, filed 2:05 p. m.

Twin Cities Rev. Order G-6, Amendment 1, covering community fluid milk, cream and certain related items, in the Twin Cities District, filed 2:05 p. m.

Twin Cities Rev. Order G-7, Amendment 1, covering community food prices of fluid milk, cream and other related items, filed 2:06 p. m.

#### REGION VIII

Seattle Order 1-W, Amendment 2, covering dry groceries in designated counties in Washington, filed 2:00 p. m.

Seattle Order 2-W, covering dry groceries in Chelan, Kittitas and Yakima, Wash., filed 2:17 p. m.

Seattle Order 22, Amendment 5, covering community food prices in Island County, Eastern Clallam and Jefferson Counties, filed 2:07 p. m.

Seattle Order 24, Amendment 5, covering community food prices in designated areas in Washington, filed 2:08 p. m.

Seattle Order 25, Amendment 5, covering community food prices in certain specified areas in Western Washington, filed 2:07 p. m.

Seattle Order 26, Amendment 4, covering community food prices in certain specified areas in Central Washington, filed 2:09 p. m.

Seattle Order 130, covering community food prices in the Seattle area, filed 2:10 p. m.

Seattle Order 131, covering community food prices in the Tacoma area, filed 2:10 p. m.

Seattle Order 132, covering community food prices in the Everett area, filed 2:11 p. m.

Seattle Order 133, covering community food prices in the Bremerton area, filed 2:11 p. m.

Seattle Order 134, covering community food prices in the Bellingham area, filed 2:11 p. m.

Seattle Order 135, covering community food prices in the Olympia area, filed 2:12 p. m.

Seattle Order 136, covering community food prices in the Aberdeen-Hoquiam area, filed 2:12 p. m.

Seattle Order 137, covering community food prices in the Centralla-Chehalis area, filed 2:13 p. m.

Seattle Order 138, covering community food prices in the Wenatchee area, filed 2:13 p. m.

Seattle Order 139, covering community food prices in the Yakima area, filed 2:13 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-14085; Filed, Sept. 12, 1944; 11:46 a. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on September 9, 1944.

#### REGION III

Grand Rapids Order 10, covering community food prices in the Grand Rapids Marketing Area, filed 9:46 a. m.

Grand Rapids Order 11, covering community food prices in the Grand Rapids Marketing Area, filed 9:46 a. m.

Grand Rapids Order 12, covering community food prices in the Grand Rapids Marketing Area, filed 9:47 a. m.

#### REGION IV

Atlanta Order 1-F, Amendment 20, covering fresh fruit and vegetable prices in Bibb County, Ga., filed 9:37 a. m.

Atlanta Order 4-F, Amendment 8, covering fresh fruit and vegetables in certain counties in the Atlanta District Area, filed 9:39 a. m.

Atlanta Order 5-F, Amendment 17, covering fresh fruit and vegetables in Muscogee County, Ga., and Phenix City in Russell County, Ala., filed 9:38 a. m.

Atlanta Order 6-F, Amendment 13, covering fresh fruit and vegetables in the Atlanta-Decatur Trade Area, filed 9:38 a. m.

Jacksonville Order 7-F, Amendment 18, covering fresh fruit and vegetables in designated areas in Florida, filed 9:47 a. m.

Memphis Order 19, covering community food prices in the Memphis Area, filed 9:43 a. m.

Raleigh Order 2-W, Amendment 1, covering dry groceries in certain areas in North Carolina, filed 9:47 a. m.

Raleigh Order 3-W, covering dry groceries in Raleigh, N. C. Area, filed 9:49 a. m.

Raleigh Order 8-F, Amendment 2, covering fresh fruit and vegetable prices in the Raleigh District, filed 9:48 a. m.

Raleigh Order 13, Amendment 1, covering community food prices in the Raleigh District, filed 9:48 a. m.

Savannah Order 4-W, Amendment 1, covering dry groceries in the Savannah District, filed 9:43 a. m.

Savannah Order 17, Amendment 2, covering community food prices in the Savannah District, filed 9:43 a. m.

#### REGION V

Dallas Order 23, covering dry groceries in Texarkana in Bowie County, Texas, filed 9:41 a. m.

Fort Worth Order 1-F, Amendment 33, covering fresh fruit and vegetables in Tarrant County, Texas, filed 9:42 a. m.

Fort Worth Order 2-F, Amendment 33, covering fresh fruit and vegetables in Taylor County, Texas, filed 9:42 a. m.

Fort Worth Order 3-F, Amendment 33, covering fresh fruit and vegetables in Green County, Texas, filed 9:42 a. m.

Fort Worth Order 4-F, Amendment 33, covering fresh fruit and vegetables in McLennan County, Texas, filed 9:41 a. m.

Fort Worth Order 5-F, Amendment 33, covering fresh fruit and vegetables in Wichita County, Texas, filed 9:41 a. m.

#### REGION VI

Des Moines Order 2-F, Amendment 11, covering fresh fruit and vegetables in the Des Moines District Area, filed 9:36 a. m.

Peoria Order 3, Amendment 11, covering community food prices in designated areas in Illinois, filed 9:35 a. m.

Peoria Order 5, Revocation, covering community food prices in certain areas in Illinois, filed 9:37 a. m.

Peoria Order 10, Amendment 2, covering community food prices in certain areas in Illinois, filed 9:36 a. m.

Peoria Order 13, Revocation, covering community food prices in certain areas in Illinois, filed 9:37 a. m.

Peoria Order 14, Revocation, covering community food prices in certain areas in Illinois, filed 9:37 a. m.

Peoria Order 16, covering community food prices in named counties in Illinois, filed 9:36 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-14088; Filed, Sept. 12, 1944; 11:45 a. m.]

[Region V Order G-1 Under MPR 336, MPR 355, MPR 394]

FABRICATED MEAT CUTS IN WICHITA, KANS.

#### Correction

In F.R. Doc. 44-12145, appearing on page 9938 of the issue for Tuesday, August 15, 1944, the next to the last paragraph should read:

This order or declaration is subject to revocation, or amendment, at any time hereafter, either by special order or declaration, or by any price regulation issued hereafter, or by any amendment or supplement issued to any price regulation, the provisions of which may be contrary hereto.

#### SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-66, 59-61, 59-35]

FEDERAL WATER AND GAS CORP., ET AL.

NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of September, A. D. 1944.

In the matters of Federal Water and Gas Corporation and Subsidiary Companies, File No. 54-66; Federal Water and Gas Corporation and Subsidiary Companies, Respondents, File No. 59-61; and

Federal Water and Gas Corporation, New York Water Service Corporation, File No. 59-35.

The Commission having entered its order herein on February 10, 1943 pursuant to section 11 (b) of the Public Utility Holding Company Act of 1935 directing that:

(1) Federal Water and Gas Corporation shall take such action as may be necessary to divest itself of all interests held by, directly or indirectly, in the businesses conducted and properties owned by Alabama Water Service Company, Union Water Service Company, Ohio Water Service Company, West Virginia Water Service Company, Scranton-Spring Brook Water Service Company, New York Water Service Corporation, and the water properties in Oregon and the gas properties in Florida owned by the Peoples Water and Gas Company: *Provided*, That in the case of Peoples Water and Gas Company, Scranton-Spring Brook Water Service Company, and New York Water Service Corporation such divestments shall not be effected through the sale of securities owned by Federal Water and Gas Corporation prior to the recapitalization of such companies in such manner as to provide for a fair and equitable distribution of voting power among security holders thereof;

(2) Peoples Water and Gas Company, Scranton-Spring Brook Water Service Company, and New York Water Service Corporation shall take such steps as may be necessary to recapitalize their capital structures so as to fairly and equitably distribute voting power among the security holders of such companies: *Provided*, That in the case of New York Water Service Corporation the common stock shall be accorded no recognition in such recapitalization;

(3) Federal Water and Gas Corporation, Pennsylvania Water Service Company, and Scranton-Spring Brook Water Service Company shall take such action as may be necessary to cause the elimination of Pennsylvania Water Service Company and the sixty-three inactive subsidiaries of Scranton-Spring Brook Water Service Company, specified in Form U5S filed by Federal Water and Gas Corporation for the year 1941;

The Commission further having entered its order on May 19, 1944, granting an additional period of six months from February 10, 1944, within which to comply with said provisions of said order of February 10, 1943;

Notice is hereby given that Federal Water and Gas Corporation, on behalf of itself and its subsidiary companies affected by the said order of February 10, 1943, has filed an application requesting the entry of an order by this Commission under section 11 (c) of the act extending for six months from August 10, 1944 the time within which to comply with the said order of February 10, 1943;

All interested persons are referred to said application which is on file in the office of the Commission for full details concerning the application.

It appearing to the Commission that it is appropriate in the public interest and

in the interest of investors and consumers that a hearing be held for the purpose of considering said application and for other purposes;

*It is ordered* That a hearing in this proceeding be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at 2:00 p. m., e. w. t., on the 27th day of September, A. D. 1944, in such room as may be designated on such day by the hearing room clerk.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided by Rule XVII of the Commission's rules of practice, on or before September 25, 1944.

*It is further ordered* That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

*It is further ordered* That, without limiting the scope of the issues presented by such application, particular attention will be directed at the hearing to (1) whether the applicants have exercised due diligence to comply with the Commission's order of February 10, 1943, and (2) whether a further extension of time of six months for compliance with said order is necessary or appropriate in the public interest or for the protection of investors or consumers.

*It is further ordered* That the secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to Federal Water and Gas Corporation and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-14047; Filed, Sept. 12, 1944;  
9:32 a. m.]

[File No. 70-921]

MOUNTAIN STATES POWER CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of September 1944.

Mountain States Power Company, a subsidiary of Standard Gas and Electric Company, a registered holding company, having filed an application and amendment thereto pursuant to sections 9 and 10 of the Public Utility Holding Company Act of 1935 regarding its proposal to acquire certain properties owned and operated by T. W. Allen and Bessie E. Allen, trading as Mill City Light and Water Company, for a consideration of \$75,000, which properties consist of a hydro-electric generating and distribution system and domestic water pumping plant, purification equipment and

distribution system at and in the vicinity of Mill City in Linn and Marion Counties, State of Oregon, with all the appurtenances, equipment and water rights, as more particularly set forth in a contract between Mountain States Power Company and T. W. Allen and Bessie E. Allen, dated April 11, 1944, and the Public Utility Commission of the State of Oregon and the Department of Public Service of the State of Washington having heretofore authorized the acquisition of the aforesaid properties; and

Said application having been filed on July 1, 1944 and an amendment thereto having been filed on August 2, 1944, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 to said application, and the Commission not having received a request for hearing with respect to said application within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are satisfied, and deeming it appropriate in the public interest and for the protection of investors and consumers to grant said application, as amended;

*It is hereby ordered*, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application, as amended, be and the same hereby is granted forthwith;

*It is further ordered*, in accordance with the provisions of the amendment to said application, that jurisdiction be and the same hereby is reserved with respect to the retainability under the standards of section 11 (b) (1) of the act, of the non-utility assets described in and to which the aforesaid application relates.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-14048; Filed, Sept. 12, 1944;  
9:32 a. m.]

[File Nos. 54-72, 59-68]

STANDARD GAS AND ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of September 1944.

Standard Gas and Electric Company (herein referred to as "Standard Gas"), a registered holding company, having filed an amended plan dated August 26, 1944, for its recapitalization, said plan providing, among other things, for the retirement of the notes and debentures of said company by the distribution to the holders of each \$1,000 principal amount thereof of shares of stock of certain operating public utility companies, cash in the amount of \$80 subject to certain adjustments, and a new 5-year four per cent debenture of Standard Gas in the principal amount of \$400; the Com-

mission on August 30, 1944, having entered its notice of filing and order for hearing on said amended plan calling for a hearing thereon on September 21, 1944;

Notice is hereby given that Standard Gas and Electric Company on September 11, 1944, filed Amendment No. 1 to said amended plan providing, among other things, in substance, that the holder of each \$1,000 principal amount of notes and debentures of Standard Gas would receive in the aggregate \$110.00 in cash (subject to certain minimum and maximum adjustments at the time the Commission shall approve the amended plan); new 5-year four per cent debentures of Standard Gas in the principal amount of \$200; three shares of common stock of Pacific Gas and Electric Company, assigned a basic value of \$32 per share for the purpose of certain computations provided in the amended plan and described in the Commission's aforementioned order dated August 30, 1944; twelve shares of common stock of Oklahoma Gas and Electric Company, assigned a basic value of \$21 per share; five shares of common stock of The California Oregon Power Company, assigned

a basic value of \$24 per share; two shares of common stock of Mountain States Power Company, assigned a basic value of \$21 per share; and eighteen shares of common stock of Wisconsin Public Service Corporation, assigned a basic value of \$10.00 per share.

Said Amendment No. 1 further provides, among other things, that no dividends may be paid on the capital stock of Standard until payment of the principal of and interest on all of the new debentures shall have been made or provided for.

*It is hereby ordered* That the hearings on the amended plan of Standard Gas, dated August 26, 1944, heretofore ordered shall take place on said amended plan, as amended by the above-described Amendment No. 1, and shall be postponed to September 28, 1944 at ten o'clock in the forenoon.

*It is further ordered* That notice of this hearing on the amended plan as so amended be given to Standard Gas and Electric Company and to all other persons; such notice to be given to Standard Gas and Electric Company, Pacific Gas and Electric Company, Oklahoma Gas

and Electric Company, The California Oregon Power Company, Mountain States Power Company, Wisconsin Public Service Corporation, Standard Power and Light Corporation, Guaranty Trust Company of New York, Pam, Hurd and Reichmann, A. J. Fleischmann, and Continental National Bank and Trust Company of Chicago by registered mail and to all other persons by publication in the FEDERAL REGISTER, and by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under said act; and

*It is further ordered* That Standard Gas and Electric Company mail a copy of Amendment No. 1 to its amended plan, dated August 26, 1944, and a copy of this notice and order at least thirteen days prior to September 28, 1944, to each of its security holders at his last-known address.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 44-14049; Filed, Sept. 12, 1944;  
9:32 a. m.]